

## **Historic, archived document**

Do not assume content reflects current scientific knowledge, policies, or practices.



# NORTHWEST DISASTER RELIEF PROGRAM

---

PLEASE RETURN TO USDA  
NATIONAL AGRICULTURAL LIBRARY  
LAW BRANCH, LEGISLATIVE REPORTING,  
Rm. 117-E, Admin Bldg.  
Wash. D. C. Ext. 4654

## HEARING BEFORE THE SUBCOMMITTEE ON PUBLIC ROADS OF THE COMMITTEE ON PUBLIC WORKS UNITED STATES SENATE

EIGHTY-NINTH CONGRESS

FIRST SESSION

ON

**S. 1638**

A BILL TO INCREASE THE LIMITATION ON EMERGENCY RELIEF  
FOR THE REPAIR OR RECONSTRUCTION OF HIGHWAYS UNDER  
SECTION 125 OF TITLE 23, UNITED STATES CODE

**S. 327**

A BILL TO PROVIDE ASSISTANCE TO THE STATES OF OREGON,  
WASHINGTON, CALIFORNIA, AND IDAHO FOR THE RECON-  
STRUCTION OF AREAS DAMAGED BY RECENT FLOODS AND  
HIGH WATERS

---

APRIL 1, 1965

---

Printed for the use of the Committee on Public Works



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1965

COMMITTEE ON PUBLIC WORKS

PAT McNAMARA, Michigan, *Chairman*

JENNINGS RANDOLPH, West Virginia

STEPHEN M. YOUNG, Ohio

EDMUND S. MUSKIE, Maine

ERNEST GRUENING, Alaska

FRANK E. MOSS, Utah

LEE METCALF, Montana

B. EVERETT JORDAN, North Carolina

DANIEL K. INOUE, Hawaii

BIRCH BAYH, Indiana

JOSEPH M. MONTOKA, New Mexico

FRED R. HARRIS, Oklahoma

JOHN SHERMAN COOPER, Kentucky

HIRAM L. FONG, Hawaii

J. CALEB BOGGS, Delaware

JAMES B. PEARSON, Kansas

GEORGE MURPHY, California

RON M. LINTON, *Chief Clerk and Staff Director*

RICHARD E. GERRISH, *Minority Clerk*

RICHARD B. ROYCE, JOSEPH F. VAN VLADRIKEN, WILLIAM E. MIRON, Jr., JOHN L. MUTZ,  
AND ALYCE THOMPSON, *Professional Staff Members*

---

SPECIAL SUBCOMMITTEE ON PUBLIC ROADS

JENNINGS RANDOLPH, West Virginia, *Chairman*

PAT McNAMARA, Michigan

EDMUND S. MUSKIE, Maine

ERNEST GRUENING, Alaska

FRANK E. MOSS, Utah

LEE METCALF, Montana

B. EVERETT JORDAN, North Carolina

BIRCH BAYH, Indiana

JOSEPH M. MONTOKA, New Mexico

JOHN SHERMAN COOPER, Kentucky

HIRAM L. FONG, Hawaii

JAMES B. PEARSON, Kansas

GEORGE MURPHY, California



# CONTENTS

S. 1638.....	<b>Page</b> <b>1</b>
S. 327.....	<b>1</b>
Departmental reports on S. 327:	
Bureau of the Budget.....	2, 3
Department of Agriculture.....	5
Department of Commerce.....	9
Department of the Interior.....	10
Housing and Home Finance Agency.....	5

## STATEMENTS

Duncan, Hon. Robert B., a Representative in Congress from the State of Oregon.....	42
Hagenstein, W. B., executive vice president, Industrial Forestry Association.....	56
Hodges, Ralph D., chief forester, National Lumber Manufacturers Association.....	105
Jackson, Hon. Henry M., a U.S. Senator from the State of Washington.....	37
Jaekle, William M., vice president, Northwestern Pacific Railroad Co.....	114
Jordan, Hon. Len B., a U.S. Senator from the State of Idaho.....	31
Magnuson, Hon. Warren G., a U.S. Senator from the State of Washington.....	37
Morse, Hon. Wayne, a U.S. Senator from the State of Oregon.....	13
Murphy, Hon. George, a U.S. Senator from the State of California.....	36
Nelson, M. M., Deputy Chief, U.S. Forest Service, and Arthur Greeley, Deputy Chief, Forest Service, for National Forest Resource Management.....	71
Neuberger, Hon. Maurine B., a U.S. Senator from the State of Oregon.....	30
Norwood, Gus, executive secretary, Northwest Public Power Association.....	115
Ullman, Hon. Al, a Representative in Congress from the State of Oregon.....	45
Wheeler, Chris L., State engineer of the State of Oregon, on behalf of Hon. Mark O. Hatfield, Governor of Oregon.....	48
Whitton, Rex M., Federal Highway Commissioner, Bureau of Public Roads; accompanied by F. C. Turner, Assistant Federal Highway Administrator and Chief Engineer.....	65
Wolf, Robert, assistant to the Director, Bureau of Land Management, Department of the Interior; accompanied by Frederick Fishman, attorney, Legislative Counsel's Office, Department of the Interior; and Archie Craft, Chief, Forestry Staff, Bureau of Land Management.....	91
Wyatt, Hon. Wendell, a Representative in Congress from the State of Oregon.....	38

## COMMUNICATIONS

Abram, D. E., president, Portland, Oreg., Chamber of Commerce: Telegram, dated February 20, 1965, to Senator Morse.....	22
Baldrige, Henry E., timberlands manager, Publishers' Paper Co.: Letter, dated January 19, 1965, to Senator Morse.....	23
Cross, Robert, secretary-manager, Oregon Logging Conference: Letter, dated March 8, 1965, to Senator Morse.....	22
Cuddeback, A. S., president, Cuddeback Lumber Co.: Letter, dated February 12, 1965, to Senator Morse.....	22
Ehringer, Paul F., president, Industrial Forestry Association: Letter, dated January 16, 1965, to Senator Morse, urging support of S. 327.....	19
Fallert, C. L., president, South Coast Lumber Co.: Letter, dated March 8, 1965, to Senator Morse.....	21

Hagenstein, W. D., executive vice president, Industrial Forestry Association: Letter, dated January 18, 1965, to the Oregon delegation urging support of S. 327-----	Page 18
Hider, V. H., county engineer and road commissioner, Sierra County, Calif.: Letter, dated March 5, 1965, to Senator Murphy containing a resolution-----	54
Klinberger, Judson T., Longview, Oreg., on behalf of Long-Bell Division, International Paper Co.: Letter, dated January 19, 1965, to Senator Morse containing certain amendments to S. 327-----	20
Mahaffy, Charles W., commissioner, county of Coos, Coquille, Oreg.: Letter, dated February 9, 1965, to Senator Morse-----	22
Neuberger, Senator Maurine B.: Letter, dated April 1, 1965, to Senator Randolph containing a statement-----	30
Tollenar, Kenneth C., executive secretary, Association of Oregon Counties: Letter, dated January 19, 1965, to Senator Morse-----	23

## ADDITIONAL INFORMATION

Bureau of Public Roads press release pertaining to approval of California-Oregon flood repair projects-----	25
Timber sale flood damage examples-----	109

# NORTHWEST DISASTER RELIEF PROGRAM

---

THURSDAY, APRIL 1, 1965

U.S. SENATE,  
SUBCOMMITTEE ON PUBLIC ROADS  
OF THE COMMITTEE ON PUBLIC WORKS,  
Washington, D.C.

The subcommittee met at 9:40 a.m., pursuant to call, in room 4200, Senate Office Building, Senator Bayh presiding.

Present: Senators Randolph, Moss, Metcalf, Bayh, Cooper, Fong, and Murphy.

Staff members present: Ron M. Linton, chief clerk and staff director; Richard F. Gerrish, minority clerk; and Richard B. Royce, professional staff.

Senator BAYH. The subcommittee will please come to order. The subcommittee meets this morning to consider legislation for the Northwest disaster relief program, bringing relief to the flood-stricken areas of northern California, Washington, Oregon, and Idaho.

Pending before the subcommittee is S. 1638 amending language suggested by the administration.

The Senator from Oregon and his colleague have, it is my understanding, introduced a measure themselves, S. 327, which has not been referred yet to this committee because the administration reports have not been completed. It will be printed at this point when it is received.

(The bills and the departmental reports thereon follow:)

[S. 1638, 89th Cong., 1st sess.]

A BILL To increase the limitation on emergency relief for the repair or reconstruction of highways under section 125 of title 23, United States Code

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 125 of title 23, United States Code, is amended to delete the period at the end of the second sentence, and insert in lieu the following: “, except that this limitation shall be \$80,000,000 for the fiscal year 1965 and \$50,000,000 annually thereafter.”

---

[S. 327, 89th Cong., 1st sess.]

A BILL To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That Congress hereby recognizes that the States of Oregon, Washington, California, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964 and January 1965 and declares the need for special measures designed to aid and accelerate these States in their efforts to provide for the reconstruction of devastated areas.



SEC. 2. (a) Notwithstanding section 120(f) of title 23 of the United States Code, the Federal share payable from the emergency fund authorized by section 125 of such title on account of any repair or reconstruction of highways on the Federal-aid highway system of Oregon, Washington, California, and Idaho, which were damaged or destroyed by the floods and high waters during December of 1964 and January of 1965 shall be 100 per centum of the cost of such repair or reconstruction.

(b) The Secretary of Agriculture is authorized with funds and authorizations available to him for the construction and maintenance of forest development roads and trails, to undertake either directly or in cooperation with timber purchasers to restore or reconstruct to such extent as he deems appropriate any roads and trails which were in the process of construction by purchasers of national forest timber and which were destroyed or severely damaged by the floods of December 1964 and January 1965.

(c) There is authorized to be appropriated to carry out this section, in addition to the amounts authorized by section 125 of title 23, United States Code, not to exceed \$200,000,000 for the period ending July 1, 1966.

(d) That subsection 120(f) of title 23, United States Code, is amended by inserting after the words, "park roads and trails," the following: "highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,": *Provided further*, That subsection 125(c) of title 23, United States Code, is amended by inserting after the words, "park roads and trails," the following: "highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,".

SEC. 3. (a) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss resulting from the floods and high water during December 1964 and January 1965 and he may refinance outstanding indebtedness of applicants in such States for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such causes and securing such outstanding indebtedness. Such loans may also be provided for the purchase of building sites, when the original sites cannot be utilized.

(b) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss, destruction, or damage to property resulting from floods and high water during December 1964 and January 1965.

SEC. 4. The Housing and Home Finance Administrator is authorized to compromise or release such portion of any note or other obligation held by him with respect to property in Oregon, Washington, California or Idaho pursuant to title II of the Housing Amendments of 1955, or included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, as he finds necessary because of loss, destruction, or damage to facilities securing such obligations by the floods and high water during December 1964 and January 1965.

SEC. 5. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (16 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in Oregon, Washington, California, and Idaho, damaged or destroyed by the floods and high water of December 1964, and January 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 6. This Act shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act before such date.

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., March 31, 1965.

HON. PAT McNAMARA,  
Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In our letter to you of March 8, 1965, concerning S. 327, to provide assistance to the States of Oregon, Washington, California, and Idaho, for the reconstruction of areas damaged by recent floods and high waters, we stated that we were working on a policy for dealing with the problem of

roads developed by timber purchasers which had not been turned over to the Government prior to the floods.

We are pleased to inform you that a policy has been worked out and that problems of the agencies have been resolved. We believe that the following proposed language provides a reasonable approach to the problem of timber purchaser roads which have sustained damage in these States during the recent floods:

"Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 percent of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

The Departments of Agriculture and Interior will be glad to furnish additional information concerning the proposal.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

---

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., April 5, 1965.

Hon. PAT McNAMARA,  
*Chairman, Committee on Public Works, U.S. Senate,*  
*Room 4202, New Senate Office Building, Washington, D.C.*

DEAR MR. CHAIRMAN: This in further reply to your request for our views on S. 327 to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Section 2 of the bill, which is concerned with repair and rehabilitation of highways damaged by the floods, contains the following provisions:

Increase the Federal share payable for the repair and reconstruction of flood-damaged Federal-aid highways in the four States concerned to 100 percent.

Authorize the Secretary of Agriculture to restore or reconstruct roads and trails in the four States involved which were in the process of construction by purchasers of national forest timber when floods destroyed or severely damaged them.

Authorize an additional \$200 million for the Bureau of Public Roads emergency fund for the purpose of carrying out section 2 provisions.

Include highways, roads, and trails on public lands, and roads and trails on wildlife refuge system lands among the roads eligible for Bureau of Public Roads emergency relief funds.

With respect to the provision relating to the restoration of roads constructed by timber purchasers, we have carefully considered with the Departments of Agriculture and Interior what an appropriate form of relief should be, and have developed an alternative proposal. The reports of Agriculture and Interior on the bill contain the proposed substitute language and we recommend its enactment.



With respect to the other provisions in section 2 of the bill, we concur generally in the comments and recommendations made by the Department of Commerce in its report. Accordingly we recommend against enactment of these provisions.

The remaining sections of the bill (3, 4, and 5) contain the following provisions:

Authority to: (a) Compromise or release the indebtedness of borrowers under programs of the Farmers Home Administration and (b) refinance outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949, and (c) provide loans for the purchase of building sites when original sites cannot be utilized.

Authority to compromise or release a borrower's indebtedness under programs administered by the Rural Electrification Administration.

Authority to compromise or release notes or other obligations for certain community facilities under programs of the Housing and Home Finance Agency.

Increase maximum maturities of disaster loans made by the Small Business Administration to replace, reconstruct, or repair dwellings up to 30 years.

The above provisions would apply only to the recent floods in the four States concerned and would be in effect only until June 30, 1966.

The provisions of sections 3, 4, and 5 are very similar to those found in amendments to the Alaska Omnibus Act as a result of the earthquake of March 1964. The amendments to that act, however, were designed to meet the problems of a new State with a small population and extremely limited financial and material resources. We do not believe that the situation in the four States involved here is sufficiently like the one which confronted Alaska to justify of itself the extension of such provisions to the present case.

It is our view that disaster relief measures should generally be applicable to all sections of the country and should be handled as amendments to basic statutes, rather than special legislation to meet particular disaster situations. What disaster relief measures should be undertaken by the Federal Government in addition to those already authorized by existing law is currently being intensively studied in the executive branch. The Office of Emergency Planning at the direction of the President is examining several aspects of Federal policy with respect to disasters. The Housing and Home Finance Agency has also been asked by the President to undertake a study of disaster insurance, and S. 408, which has been passed by the Senate, would authorize the Housing and Home Finance Agency to undertake a study of alternative methods, including insurance, of giving financial assistance to victims of natural disasters.

We have examined the proposed measures included in sections 3, 4, and 5 in the light of the above considerations and believe that two of the proposals merit serious consideration as general measures to assist in disaster situations. The first is authority to enable the Small Business Administration to establish maturities of disaster loans for dwellings up to 30 years in cases of extreme hardship. The second is authority to refinance outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949 and to provide loans for the purchase of building sites when original sites cannot be utilized. The Small Business Administration is planning to submit a draft bill to amend the Small Business Act to accomplish the first proposal. Similarly, Agriculture is considering legislation to accomplish the second.

In its report to your committee, the Department of Agriculture indicates that the Farmers Home Administration has authority to compromise, adjust, or cancel indebtedness under certain circumstances and, therefore, does not believe there is a need at this time for additional debt-settlement authority. It also states that it does not believe at this time that there is need for authority to compromise or release portions of a borrower's indebtedness under its Rural Electrification Administration program. In its report to your committee, the Housing and Home Finance Agency states that no facilities secured by obligations under its community facility programs included in the bill appear to have been damaged by the floods and high waters of December 1964 and January 1965 and accordingly that the authority to compromise or release these obligations would provide no benefit to localities in the affected States.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

HOUSING AND HOME FINANCE AGENCY,  
OFFICE OF THE ADMINISTRATOR.*Washington, D.C., April 7, 1965.*

Subject S. 327, 89th Congress (Senator Morse).

Hon. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for our views on S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The Housing Agency is primarily interested in section 4 of the bill which would authorize the Housing Administrator to compromise or release such portion of any obligations which he holds in the States of Oregon, Washington, California, and Idaho under the public facility loans program or under the revolving fund for liquidating programs, to the extent he finds that such relief is necessary because the facilities securing these obligations have been substantially damaged by the floods and high water in these States during December 1964 and January 1965. Under existing law, the Administrator has no authority to provide any relief in situations such as this, beyond the rescheduling of required loan payments.

We have been informed by our San Francisco regional office that no facilities secured by obligations referred to in section 4 of the bill appear to have been damaged by the floods and high waters of December 1964 and January 1965. Accordingly, the provision would provide no benefit to localities in the affected States.

This provision is identical (except for the date and cause of damage) to section 52 of the Alaska Omnibus Act, added by the 1964 amendments to the Alaska Omnibus Act in order to provide special assistance to the State of Alaska for the reconstruction of areas damaged by the March 27, 1964, earthquake. The 1964 amendments contained numerous other special provisions (several of which are included in S. 327) determined by the Congress to be necessary because the March 1964 earthquake and tidal wave severely affected a portion of the State which was inhabited by half its population and from which came half or more than half of its governmental revenues. These factors, in effect, crippled the State's ability to carry out its normal functions, to supply matching funds for essential Federal grant-in-aid programs, and to finance other programs.

The Housing Agency is not in a position to determine whether the floods and high waters in California, Oregon, Washington, and Idaho during December 1964 and January 1965 have resulted in damage which requires Federal assistance in addition to that presently authorized under the Disaster Relief Act (Public Law 81-875). Accordingly, we would defer to the Office of Emergency Planning and other affected Federal agencies as to whether assistance in addition to that authorized under the Disaster Relief Act should be provided in this situation.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ROBERT C. WEAVER, *Administrator.*DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., April 1, 1965.*Hon. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate*

DEAR MR. CHAIRMAN: This is in reply to your request of January 19, 1965, for a report on S. 327, a bill "to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

It is our view that, as a general rule, appropriate disaster relief measures should be applicable to all sections of the country and should be handled as amendments to the regular statutes rather than legislation relating to specific disaster situations.



## FOREST SERVICE

Section 2(b) would authorize this Department to restore or reconstruct forest roads and trails which were in the process of construction by purchasers of national forest timber and which were destroyed or severely damaged by the floods of December 1964 and January 1965.

The floods caused by the storms of December 1964 and January 1965 exceeded any known in the areas. Major damage occurred in Oregon, Washington, California, and Idaho and was concentrated in substantial portions of 18 national forests. Damage also occurred in other national forests. Most damage on the national forests was to roads, bridges, and major culverts, with damage also to recreation developments and administrative facilities.

Task forces were immediately organized by the Forest Service to make a preliminary review of damage estimates. Early stages of the floods did considerable damage to national forest areas which were later covered with heavy snowfall. We were thus able to examine only about 75 percent of the total, but this gives us a sound base for estimating the total damage.

Areas examined showed that 9,090 miles of roads currently on the Forest Service forest development roads and trails system and 581 bridges and major culverts were completely destroyed or made unusable.

In addition to those roads and trails which were already a part of the forest development roads and trails system, many miles of roads which, upon acceptance by the Forest Service, would become part of that system were in the process of construction by purchasers of national forest timber under the terms of the timber sale contracts. Damage to these by the storms was also severe.

The transportation system which serves the national forests is actually an interlinking of State highways, county roads, forest highways, and the forest development roads and trails. Restoration of all component parts of the total system is urgent. While we are interested in the restoration of all damages, only the forest development roads and trails are the direct responsibility of this Department.

The economy of the innumerable communities and the livelihood of hundreds of thousands of persons in the area are dependent upon continued operation of the industries which must obtain their raw materials and move their products over the roads and highways of the area. Protection, development, and utilization of the national forests and their resources cannot go forward without an adequate forest roads and trails system connecting with the rest of the total transportation system.

Aside from the need for their protection and the importance of the use of other national forest resources, the 18 national forests, in which damage was concentrated, have an allowable annual cut of timber of 3.9 billion board feet. This is a very substantial part of the total timber volume handled by the timber industries, which provide leading support for the economy of the area.

Temporary restoration of use of key segments of the forest roads and trails through emergency measures is moving forward rapidly, but full restoration is essential. Our current estimate of the total damage to the roads and trails, including bridges and major culverts, which were already part of the forest development roads and trails system is \$47 million.

There is a special problem in connection with the restoration of roads in the process of being constructed by timber purchasers. There are roads which purchasers of national forest timber have the responsibility of constructing under the terms of their timber sale contracts. They are the roads which are not in place at the time the timber sale is made but are essential to the logging operation. The ones with which we are presently concerned are those which, upon completion of construction by the timber purchaser and upon acceptance by the Forest Service, will become part of the forest development roads and trails system. The completion of these roads is a prerequisite to log production from the timber sale area. Log production is a most difficult phase of getting the forest products industries in the flood stricken areas back to normal activity.

On certain national forests, notably the Six Rivers and Klamath National Forests in California, damage to these roads has been severe and losses by individual purchasers are beyond their capacity to absorb. Damage to this type of road grades out to a degree of loss which purchasers are accustomed to experience in severe winters.



Allowance for the cost of these roads is made in the timber appraisal. Thus the Federal Government, through the timber, in effect bears the cost. Where damage has been severe there is a clear need for public participation in the restoration of these road facilities if unemployment and hardship are to be avoided. Failure to assure the prompt restoration of these roads would sacrifice a large measure of the benefits which would accrue from other phases of the restoration activities.

Those roads constructed by timber purchasers, or portions thereof which have been accepted by the Forest Service as meeting construction specifications, are a restoration responsibility within the discretion of this Department. Such accepted roads are in the same status as other parts of the forest development roads and trails system. This is not the case for roads in the process of construction by timber purchasers.

Where major damage has occurred to these roads which were in the process of being constructed, the responsibility for restoration is more than a timber purchaser can be expected to carry. There is a joint interest by the timber purchaser and the United States to restore them. The timber purchaser needs the roads to go forward with his timber operation to obtain raw materials for the continued operation of his manufacturing plant and the continued employment of the men working in the plant and in the woods. If the mills shut down because of lack of logs the affected communities would suffer disastrous effects from unemployment. The Government needs these roads rebuilt to continue its harvesting program and for administration and protection of the national forests.

In order to differentiate between major losses, on which some sharing of restoration should be borne by the Government, and minor losses, which timber purchasers over many years have traditionally borne, we recommend that the bill be amended by revising section 2(b) to read as follows:

"Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: The timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by Secretary, on the portion of the highway, road, or trail damaged or destroyed; and (b) an amount equal to the first 15 per centum of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 per centum of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

Because of heavy snowfall immediately after flood conditions, a large portion of these purchaser construction roads could not be examined. Sufficient is known, however, to make a reasonably sound estimate of damage. Such damage is concentrated on eight national forests in Oregon and California. Estimated damage on these forests totals \$3,500,000. In fiscal year 1964, 2.5 billion board feet of timber were cut on these eight national forests. Additional damage to purchaser built roads of approximately \$500,000 occurred on 22 other national forests.

In consideration of the restoration job as a whole much must and can be undertaken immediately, but the total reconstruction job will of necessity be programed over a 2- to 3-year period. We propose to use authority now available to the Secretary of Agriculture for the protection and management of the national forests to accomplish the required restoration work. Steps are under-way to determine the amount of additional funds which would be needed in fiscal year 1966. An appropriation request will be made to the Congress as part of the regular budgetary process. It will, therefore, not be necessary to amend the Federal-Aid Highway Acts of 1962 and 1964 to authorize additional

sums for forest roads and trails. This forest roads and trails work will need to be correlated with the regular forest roads and trails construction and maintenance activity for which this Department is also responsible.

Another effect of these disastrous storms of December 1964 and January 1965 has been that the access to sources of timber supply from the national forests for the wood-using industries has in many instances been cut off completely or seriously impaired. Until this access can be restored, other sources of timber must be provided if the affected industries are to continue operation. Otherwise the communities dependent upon, and people employed by, these industries will face the results of mills shut down and people unemployed. We are endeavoring to reprogram timber sales to the fullest extent possible and are making progress. However, under present authority the Forest Service must advertise timber sales in excess of \$2,000 in value for at least 30 days. Advertisement must, of course, follow sale preparation.

To remedy this we recommend that authority be granted to make timber sales after not less than 7 days' advertising. This could be accomplished by amending S. 327 by adding to the present section 3 a new subsection following line 2 on page 4 as follows:

"(c) The Secretary of Agriculture is authorized, within areas in which wood-using industries are dependent upon timber from the areas of Oregon, Washington, California, and Idaho affected by the floods of December 1964 and January 1965, and without regard to any requirement for a longer advertisement, to make sales of national forest timber upon advertisement thereof in the prescribed manner for a period of not less than seven days."

#### FARMERS HOME ADMINISTRATION

Section 3(a) of the bill would authorize the Secretary of Agriculture to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration as he finds necessary in the above-named States because of loss resulting from floods and high water during December 1964 and January 1965. In addition, the Secretary would be authorized to refinance the outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such floods, including the purchase of new building sites when the original sites cannot be used.

The Farmers Home Administration has authority to compromise, adjust, or cancel indebtedness under certain conditions and does not believe there is a need at this time for additional debt settlement authority. The Department does believe, however, that it is hampered in dealing with hardship situations because it lacks authority to refinance outstanding indebtedness of certain applicants for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings. Authority to provide for the purchase of building sites when the original site cannot be utilized would appear to be useful. The Department is now considering the possibility of recommending such an amendment to the Housing act.

#### RURAL ELECTRIFICATION ADMINISTRATION

Section 3(b) would authorize the Secretary of Agriculture to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss, destruction, or damage to property resulting from floods and high water during December 1964 and January 1965.

Preliminary reports indicate that no catastrophic damage was suffered by REA-financed systems in the four States covered by the bill. Estimates of losses received so far total approximately \$600,000 for 27 electrification borrowers and approximately \$500,000 for 7 telephone borrowers. In view of the financing authority under existing law, it is not believed at this time that there is a need for relief of the type provided by S. 327 for any of these borrowers.

The Bureau of the Budget advises that there is no objection to presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CHARLES S. MURPHY, *Under Secretary.*



GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., April 1, 1965.*

Hon. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of the Department of Commerce concerning S. 327, a bill to provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Sections 120 and 125 of title 23, U.S.C., presently govern the repair and reconstruction of highways, roads, and trails which have suffered serious damage as a result of disaster over a wide area. The damage to highways as a result of the December 1964 and January 1965 floods in California, Idaho, Oregon, and Washington qualifies for Federal assistance under these provisions, but the \$30 million annual authorization for such relief is not sufficient to cover the emergency needs of fiscal year 1965 because of their unusual magnitude. To remedy this, the Department on March 22, 1965, recommended enactment of draft legislation to amend section 125 of title 23, United States Code, to provide a temporary increase in the amount authorized for the current fiscal year from \$30 to \$80 million and for a permanent increase in succeeding fiscal years to \$50 million. This legislation has now been introduced as S. 1638.

The Federal share of the cost of repairs to all Federal-aid systems, as specified by subsection 120(f), is normally 50 per centum. Public Law 88-658 amended this amount to provide that the basic 50 per centum be increased by a per centum equal to the percentage which the area of certain nontaxable Indian and public domain lands is to the total land area of the State. This applies to only those States in which such nontaxable lands exceed 5 percent of their total area. Presently 13 States qualify for such additional Federal cost sharing, the total per centum for each varying, with Alaska having the highest—95.02 per centum. Thus, the presently authorized matching Federal share for the States involved in this bill is: California—59.78; Idaho—62.91; Oregon—63.45 and Washington—53.51 per centum of the cost of emergency repairs to the ABC and Interstate System Highways located in these States. Subsections 120(f) and 125(c) as amended provide that the Federal share may amount to 100 percent of the cost of emergency repairs to forest highways, a program which is administered by this Department and that the cost of these repairs may be financed from the highway trust fund.

Existing law also authorizes the repair at Federal expense of forest development roads and trails, administered by the Department of Agriculture, and park roads and trails and Indian reservation roads, administered by the Department of the Interior. Such repairs can be financed out of the highway trust fund, under the authority of subsection 125(c) or out of regular roads program appropriations available to the Departments of Agriculture and the Interior.

The proposed increase in the Bureau of Public Roads emergency fund, as mentioned above, is intended to provide for repair and reconstruction of regular Federal-aid and forest highways in the four States with which this bill is concerned.

The Departments of Agriculture and Interior are already at work with existing funds on the reconstruction of the roads under their jurisdiction, and we understand that they will seek additional authorizations or funds under their regular programs for these roads as the work progresses. Because the original construction of the roads under the jurisdiction of Agriculture and Interior was financed out of the general fund and in view of the magnitude of the damages in this case and the financial condition of the highway trust fund, it seems appropriate that the costs of reconstruction for Agriculture's and Interior's roads be charged to the general fund rather than the highway trust fund.

We would like to confine our comments to section 2 of S. 32, which deals with highway and roads matters.

Section 2(a) of this bill would authorize a special exception to section 120(f) of title 23 by increasing the Federal share payable for the repair and reconstruction of Federal-aid highways which were damaged in the recent floods in the four States covered by this bill to 100 percent. This would be a very significant increase in the Federal share. It would discriminate against other States in similar situations and would establish an undesirable precedent. We believe the sharing arrangement established by Public Law 88-658, referred to

earlier, is an equitable one and should be continued. Accordingly, we recommend against enactment of section 2(a).

Section 2(b), of this bill, would authorize the Secretary of Agriculture to undertake emergency reconstruction of flood damaged roads and trails in the process of construction by purchasers of national forest timber. We defer to the views of the Department of Agriculture on this provision, but believe that financing of this work should be out of general fund appropriations rather than the highway trust fund.

Section 2(c) of S. 327 would authorize an additional \$200 million for the Bureau of Public Roads emergency fund for the purpose of carrying out section 2. As noted earlier, we have submitted legislation to Congress to increase the emergency fund in 1965 and subsequent years; and Agriculture and Interior are seeking funds for the reconstruction of roads under their jurisdictions. We believe these actions will take care of the financing needs to which section 2(c) is addressed and accordingly we recommend against its enactment.

Section 2(d) of S. 327 would permanently amend subsections 120(f) and 125(c) of title 23 to include "highways, roads and trails on public lands, [and] roads and trails on wildlife refuge system lands" among the roads eligible for Bureau of Public Roads emergency relief funds. We understand that reconstruction work on these roads will be accomplished by the Department of the Interior out of its regular appropriations. In any event, we doubt the desirability of permanently amending these sections of the highway laws in the context of an emergency relief bill for a particular disaster. Accordingly we recommend against inclusion of this provision.

In summary the Department believes that the enactment of S. 1638, together with the additional funds being sought by the Departments of Agriculture and Interior for reconstruction of the roads under their jurisdiction which were damaged in the recent floods, will provide adequately for the reconstruction of the highways damaged. Accordingly, we recommend against enactment of sections 2(a), (c), and (d) of S. 327 and defer to the views of the Secretary of Agriculture with respect to section 2(b).

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee and further than enactment of S. 1638 would be consistent with the administration's objectives.

Sincerely,

ROBERT E. GILES.

U.S. DEPARTMENT OF THE INTERIOR,  
Washington, D.C., March 31, 1965.

Hon. PAT McNAMARA,  
Chairman, Committee on Public Works,  
U.S. Senate, Washintgon, D.C.

DEAR SENATOR McNAMARA: There is pending before your committee S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho, for the reconstruction of areas damaged by recent floods and high waters.

We recommend that the bill be enacted with our proposed amendments.

The bill provides that the Federal Government will pay from the emergency fund under the Federal Aid Highway Act 100 percent for the repair or reconstruction of highways of the Federal aid highway system to the States mentioned, which highways were damaged or destroyed by floods and high waters, in lieu of the percentages now payable to the States for such repair or reconstruction under existing law, i.e., California 59.78 percent, Idaho 62.91 percent, Washington 53.51 percent, and Oregon 63.45 percent.

The bill authorizes the Secretary of Agriculture, from funds and authorizations available to him for the construction and maintenance of forest development roads and trails, to restore or reconstruct to the extent he deems appropriate, either directly or in cooperation with timber purchasers, any roads and trails which were in the process of construction by purchasers of national forest timber and which roads or trails were destroyed or severely damaged by the floods.

The bill contains an authorization for appropriations to carry out the foregoing purposes, in addition to the amount authorized by the emergency relief section of the Federal Aid Highway Act, the sum of \$200 million for the period ending July 1, 1966.



The bill amends subsection 120(f) of title 23, United States Code, and subsection 125(c) of title 23, United States Code, by making the emergency relief provisions of section 125 and the 100 percent Federal share provisions of subsection 120(f) applicable to highways, roads, and trails on public lands, and to roads and trails on wildlife refuge system lands. This provision is apparently intended as permanent legislation, despite the time limitation of June 30, 1966, embodied in the bill.

The bill authorizes the Secretary of Agriculture to compromise or release through the Farmers Home Administration and the Rural Electrification Administration the indebtedness of their borrowers to enable them to overcome losses suffered as a result of the floods and high waters. The Secretary of Agriculture, through the Farmers Home Administration, is further authorized to refinance loans for the repair, reconstruction, or replacement of dwellings or farm buildings affected by the floods and high waters. The bill authorizes the Small Business Administration to make loans with a maximum maturity of 30 years for the purpose of replacing, reconstructing, or repairing dwellings in the States affected. The bill provides that it shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under the bill before such date.

The bill embodies some of the same provisions as the Alaska earthquake relief legislation, Public Law 88-451, 78 Stat. 505 (1964).

As indicated above, the bill provides 100 percent Federal funding of repairs or reconstruction of Federal aid highways damaged or destroyed by the floods and high waters. When the State of Alaska was faced with the need for similar restorative action as a result of the earthquake of March 27, 1964, Congress provided in the act of August 19, 1964, Public Law 88-451, 78 Stat. 505, section 3, that Federal assistance should be on the same matching basis which would be applicable to new construction. For the State of Alaska the Federal assistance was 94 percent. Subsection (f) of section 120, title 23, United States Code, was amended by the act of October 13, 1964, Public Law 88-658, 78 Stat. 1090, as permanent legislation. Under that law the four States concerned, and all other States, now enjoy the same payment formula afforded Alaska with respect to repairs or reconstruction on the Federal aid highway system. As indicated earlier, the Federal share for the four States ranges from 53.51 percent to 63.45 percent.

The bill authorizes the Secretary of Agriculture to repair or restore roads built by timber purchasers. It contains no similar authority for this Department. We have a large timber sale program particularly on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands. We need similar authority and are suggesting an appropriate amendment. Our proposed amendment authorizes the Secretary of the Interior and the Secretary of Agriculture separately to expend funds to restore or reconstruct highways, roads, or trails, built by a timber purchaser on lands administered by the Secretary, where damaged by the floods and high waters. The amendment also permits the Secretary to reimburse any timber purchaser who effectuated such repair or reconstruction prior to the effective date of enactment of the bill. We think it would be inequitable to deprive a timber purchaser of the benefits of the bill on the basis of his diligence in acting to restore promptly the damage caused to such roads. The precise extent to which relief could be granted is spelled out in our amendment. It provides that a timber purchaser shall bear the estimated cost of the uncompleted work on the portion of the road damaged, and an amount equal to the first 15 percent of the estimated cost incurred by timber purchaser on the damaged or destroyed portion of the road. The Secretary would bear the next \$1,000 of the estimated cost of reconstruction, restoration, and completion, and 50 percent of the remaining costs thereof. Where the costs of reconstruction, restoration, and completion are less than \$500, the section would not apply.

Fifteen percent represents approximately the risk and profit allowance envisaged by the road provisions of the timber appraisal. It also takes account of normal winter damage. The \$1,000 is designed to afford a larger measure of relief to the small timber operator who presumably is less able to withstand catastrophic loss. The rationale for the 50-percent division is that neither the Government nor the timber purchasers envisaged the catastrophe. It seems

equitable, therefore, that each party should bear 50 percent of the loss sustained. The exclusion of claims under \$500 is based upon the position that such damage is relatively minor.

It is the position of the administration that relief legislation along the lines of the bill is not an appropriate vehicle for amendments to the emergency fund provisions of the Federal Aid Highway Act relating to the operations of this Department. We are therefore recommending the deletion of section 2(d) of the bill.

Because of the havoc wrought by the floods and high waters, persons seeking to perfect their rights in entries under the public land laws may have been disadvantaged. This Department should be in a position to suspend the time limits embodied in those laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters. We are suggesting an appropriate amendment below.

We understand that some damage was caused by floods and high waters in the four States during February 1965. We therefore believe that the bill should be amended by deleting the words "December 1964, and January 1965" wherever they appear in the bill and substituting therefor "December 1964, January and February 1965".

We recommend that the bill be amended as follows:

1. Delete subsections (b) and (d) of section 2, redesignate subsection (c) as "(b)," delete therefrom "July 1, 1966" and substitute therefor "June 30, 1966," which marks the end of the fiscal year.

2. Add a new section reading as follows:

"SEC. 7. Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 percent of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

3. Add a new section reading as follows:

"SEC. 8. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in Oregon, Washington, California, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, January and February 1965."

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN. A. CARVER, JR.,  
*Acting Secretary of the Interior.*

Senator BAYH. We are honored to have the distinguished senior Senator, Senator Morse, before the subcommittee to give us his thoughts on the matter.



STATEMENT OF HON. WAYNE MORSE, A U.S. SENATOR FROM THE  
STATE OF OREGON

Senator MORSE. Mr. Chairman and members of the subcommittee, as a Senator from the flood-stricken State of Oregon, I am deeply appreciative of your courtesy in having scheduled this hearing, although the disaster relief bill, which I introduced on January 7 with my colleague, Senator Neuberger, as cosponsor, has not been officially referred to the subcommittee, I am addressing my remarks to the general subject before the committee today but I shall make some comments on S. 327 because it is only a matter of time before it will be before your subcommittee.

We have been waiting for reports from departments downtown. Since arriving at this hearing, I understand that the Bureau of the Budget's long-looked-for report has been received this morning. I haven't had a chance to look at it, but I will.

Mr. Chairman, with your consent, I would like permission to offer any supplemental statements that I may have after reviewing the report.

Senator RANDOLPH (presiding). Senator Morse, that will be done.

Senator MORSE. I appreciate that very much, Mr. Chairman.

I have to leave this room to convene the Subcommittee on Education because we hope today, before the day is over, to complete the subcommittee's action on that bill. However, I shall be glad to have your questions, Mr. Chairman.

The bill Senator Neuberger and I have introduced, S. 327, is very appropriate to consider along with S. 1638. It is designed to provide assistance for the reconstruction of areas damaged by the recent floods and high waters in the Pacific Northwest. I must admit, however, that my testimony may not be as complete as it should be.

This is due to the difficulty I have encountered in securing factual information from the Bureau of the Budget and other agencies on the extent of the damage which resulted from the devastating floods of December 1964 and January 1965. I digress for a moment, Mr. Chairman, to make the record crystal clear that the President of the United States, with whom I just talked this morning before I came here, has done everything that he can to be of assistance to the two Senators from Oregon in pushing along action at the executive department level in regard to the flood damage situation in the Pacific Northwest. On one occasion he sent the Director of the Bureau of the Budget to my office personally to talk to me about the situation and to find out what it was that the Senators needed from downtown in order to supply us with the information that we needed to have in order to get congressional action.

Just last week I asked the President to obtain further action from the departments downtown. In fairness to the President, I want to say he immediately requested the information that I sought from the departments. The President of the United States is fully apprised and fully aware of the very serious situation that exists in California and Oregon, and parts of Washington and Idaho.

There is no basis at all for any implication that the President of the United States is not doing everything that he can; there is no basis

for any implication that he is not working in complete cooperation with the two Senators from Oregon on this matter.

I have read newspaper stories to the effect that because I may take certain positions on certain matters of policy within this administration, it is affecting the support of this administration in connection with the flood problem. These stories involve gross injustice to the President of the United States. I do not intend to remain silent when that kind of unfair attack is made on my President.

Mr. Chairman, it should be of interest to the committee that the two Senators from Oregon, and several Members of the House, were able to draft and introduce legislation within 2 weeks after the occurrence of the west coast flood disaster. It is not unusual for disasters to occur, although it is unusual to have one as large as the one we experienced on the west coast last December.

Ample precedent for legislation of this type is provided in the Alaska earthquake legislation, and it is no secret that we relied heavily upon that legislation in preparing our bill.

Over 3 months have elapsed since the date of the flood. The Bureau of the Budget, as of last week, had not been able to submit its views on S. 327. At long last, it has come in this morning, just a few minutes ago.

In the meantime, the Federal agencies have been unable to make the necessary long-term plans to go ahead swiftly with work to alleviate the catastrophic damage that swept from the State of Washington well down into California.

#### A MAJOR FLOOD DISASTER

Before giving the subcommittee an analysis of our bill, I should indicate the nature and extent of this catastrophe. As I pointed out to the Senate on January 6, the floods resulted from usual forces of nature which converged so as to create a condition that was almost unprecedented in the history of the West.

First we had a long hard freeze, which is not at all common in our State. The Willamette Valley, which normally has a relatively mild climate, had a deep hard freeze which extended from the valley far up into the Cascade Range to the east. After this freeze we had what is known as a Chinook wind which carried with it warm air and a heavy volume of water. The sudden rise in temperature brought not only the rain, but melted the heavy snow packs in the mountains.

The water that was formed from the rain and melting snow did not absorb into the ground. It flowed in enormous volume through the watersheds and into the valleys of the Willamette and its tributaries. Similar developments occurred in eastern Oregon. The result was floods of enormous proportions in areas such as the John Day River Basin, the Grande Ronde River, and other major streams of eastern Oregon.

It is to the everlasting credit of the Congress, and particularly the Public Works Committees, that the flood control dams for which we obtained authorizations and appropriations, saved enormous flood losses. For example, the major multipurpose flood control dams in the Willamette River Basin cut 14 feet off the crest of the December



floodwaters at Eugene, Oreg.; they reduced the crest at Portland by 7 feet.

One major flood of this type can reflect, through flood damages prevented, the cost of an entire system of multipurpose river dams. Had this committee and the Congress not had the wisdom and foresight to provide the State of Oregon with these invaluable dams, I would have relayed a much more somber picture and story of flood damage this morning.

The damage occasioned by the December and January floods was enormous. Here are estimates of the damages suffered by the four western States of Oregon, Washington, California, and Idaho, as supplied by the Office of Emergency Planning on March 29:

	Public	Private	Total
Oregon.....	\$95, 000, 000	\$147, 000, 000	\$242, 000, 000
Washington.....	9, 000, 000	3, 000, 000	12, 000, 000
California.....	140, 000, 000	60, 000, 000	200, 000, 000
Idaho.....	5, 000, 000	2, 000, 000	7, 500, 000

These California statistics are very important statistics, Mr. Chairman, because of some misinformation that is abroad. Public damage is \$140 million, private is \$60 million, and the total is \$200 million. The Government can come to the aid for emergency repair of damage to public facilities.

Note the total damage of \$242 million for Oregon, \$147 million of which is damage to private property. California's total damage was \$200 million—less than Oregon—but it received more relief than Oregon. Therefore, some who don't want to state the true facts seek to give the impression that the Oregon delegation isn't doing its job because California is getting more money although its total damage is \$42 million less than Oregon. The truth is that Oregon's public damage was only \$95 million, whereas California's was \$140 million. That explains the situation, Mr. Chairman. California isn't getting one bit more on a prorata basis than Oregon is on damage to public property which qualifies for emergency Federal aid. I want to stress that in my testimony because it has resulted in some misunderstandings in my State with reflections upon the administration on the false charge that they are discriminating against Oregon or in favor of California.

It just isn't so, Mr. Chairman, and let the record so show.

#### HIGHWAY REHABILITATION

Turning now to an analysis of S. 327, our bill proposes under section 2(a) that Federal share payable from the emergency fund in section 125 of the act shall be 100 percent of the cost of flood damage restoration. As the committee knows, the present authority under the law does not permit emergency contributions to equal, in each instance, the original Federal share of road construction cost.

For example, the original cost of the interstate highway system in Oregon is federally financed to the extent of 92.25 percent. Forest highways are financed at a 100-percent Federal level. My position is that the committee could find it in the public interest to permit up to

100 percent of the cost of highway restoration to be borne by the Federal Government.

In no event, however, should the Federal share be less than the original Federal contribution to the class of road being restored.

The present law relative to the Federal share payable from the emergency fund produces anomalies. For example, if a bridge on an interstate highway had been constructed in Oregon, under the 92.25-percent Federal grant-in-aid and was substantially destroyed in the December flood, the Federal Government would pay only 63.45 percent of the cost of rebuilding the bridge.

The State of Oregon, already staggering under the terrific burden of flood losses, would have to contribute a larger share to the restoration of the bridge than it did for the original cost of the bridge. Section 2(a) of our bill would correct this inequity.

The relief to be provided by section 2(a) is urgently needed, especially when we recall that roads and highways eligible for Federal rehabilitation aid for the States of Oregon, Washington, California, and Idaho, totaled an estimated \$114,211,754 in floods of December and January.

As the law now stands, these States would be called upon to make the following payments toward repairs and reconstruction of these highways and roads; Oregon, \$6,622,466; Washington, \$709,903; California, \$9,770,645; Idaho, \$522,718; a total of \$17,625,732. These States have suffered overwhelming losses in the floods. They should receive help of the type proposed in this bill.

#### TIMBER PURCHASER ROAD RECONSTRUCTION

Section 2(b) of our bill would permit the Secretary of Agriculture to assist timber purchasers, to the extent he deems appropriate, in the restoration of roads and trails being constructed under timber sales.

The committee should take several factors into account in arriving at the final language of this section. First, whatever authority is granted to the Secretary of Agriculture is also needed by the Secretary of the Interior; I am advised that approximately 225 contracts are involved in flood damage to roads in the process of construction. The estimated damage to these timber-purchaser constructed roads is \$1.25 million. This is primarily in western Oregon.

On the national forests, I have been told that there are approximately 334 contracts, 225 involving more than \$1,000 damage, where the total road damage is approximately \$4 million. I emphasize that in these two situations the only roads involved are those in the process of construction by timber purchasers under timber contracts.

S. 327 does not set standards for the Secretary to use in determining the extent to which he will assist timber purchasers. It would be most agreeable to me and Senator Neuberger to have such standards spelled out in the legislation so that a uniform and equitable treatment can be given to all.

We are not competent and qualified to do it. It takes the experts in the Forest Service and the Interior Department and Agriculture Department to do that, Mr. Chairman.



The system used by the Federal agencies in pricing their timber is to reduce the price for their timber by the estimated cost of constructing essential roads.

This is called an allowance by the technical people. The contracts contain no disaster clause and thus, if a timber purchaser suffers a disaster such as this, he is obligated to restore the road out of his own pocket. That isn't fair.

Legally, I suppose the timber purchaser-road contractor would be bound by the strict terms of his contract, but the Government has to do equity, too. We are talking about a disaster and we are talking about timber and access roads owned by people of this country. We have an obligation to these purchasers to be fair and equitable.

The sponsors of S. 327 seek an equitable adjustment, not legal technicalities, in these timber-access roadbuilder cases.

In my discussions with Federal officials and with people in the industry, I find unanimous agreement that they have never before been confronted with a situation of this magnitude. In the past, there have been individual instances of slides or small washouts, but these have usually been quite minor when compared to the areawide catastrophe produced by the winter floods of 1964 and 1965. Consequently, I think that there is a clear case for recognizing that the contracting parties simply never contemplated damage of this sweep and magnitude.

In my opinion it would be fair and reasonable to provide substantial assistance to the timber purchaser-road contractors. These roads, are in effect, to be paid for out of Federal timber and are the property of the Federal Government. They will continue to be useful to the Federal Government in the management of its forests, in future sales of timber, for protection and other uses of forest lands such as fire roads. The roads on these lands will continue to be used by the Federal Government in the years ahead. Thus, there is a direct Federal interest in these roads.

This, I think, justifies doing equity to the private builders of these roads who are the purchasers of the timber. They have to build the roads to get the timber out. Where the timber purchaser has undertaken the construction of one of these roads as required by his contract, and all or a portion of the road under construction has been washed out, he has used up the allowance in the timber appraisal and should not be expected to shoulder the full burden of flood restoration.

Thus I believe that an excellent case can be made for substantial allowances to timber purchasers for rehabilitation of flood-damaged roads on Forest Service and Bureau of Land Management roads.

It was my intent that any damage restored by the timber purchaser prior to the enactment of this legislation would be eligible for compensation as damage restored after the enactment of this bill.

There is some question as to whether S. 327 makes that point clear. Therefore, I suggest that, when the committee gets to this bill, it adopt clarifying language. Failure to specify that rehabilitation work undertaken prior to the enactment of this law would be the subject of compensation to the timber purchaser-road contractor, could penalize the timber purchaser who restored the road promptly.

This would be inequitable. Of course, the arrangements for compensation should require substantiated evidence upon which the Secretaries could reach their determinations of the estimated value of work claimed to have been performed.

I have been told that some Federal officials suggest a 50-percent compensation for damaged timber-purchaser roads and that the first \$1,000 of the cost be absorbed by the timber purchaser. This appears to be rooted in part in a new section proposed for Forest Service contracts.

I view both components of this suggestion as clear examples of parsimony and would urge that the committee carefully study their impact. It might be preferable to have the committee authorize and direct the Secretaries to pick up in full the first thousand dollars in damage. This requirement that purchasers absorb the first thousand dollars could work a hardship on small business operators because they don't have the finances, they don't have the operation and, of course, they don't have the investment either. It is going to be pretty tough on them if they have to pay the first thousand.

As to the balance where the damage is great, the committee should weigh the impact that only a 50-percent reimbursement will have. Here, one test should be the measure of damage. The timber purchasers have kept their contracts as far as the road allowance is concerned. An act of God has occurred. The roads they built have been washed out.

It is unfair to say, "All right, we are going to hold you to the technical requirements of the contract. Rebuild the road," which means that all you are saying to them in many instances is that as far as this particular purchase is concerned you are going to lose your shirts. I don't think that we should take advantage of a disaster by producing that effect.

To me, the salient point is that the road allowance has been used. Where this occurs, and if there is a subsequent Federal need for the road, the allowance should, in effect, be reinstated to a substantial degree.

It has been suggested by some that the Secretaries of Agriculture and the Interior have ample authority to make, through administrative determinations, equitable adjustments for timber operators who restore flood-damaged roads. If the committee should decide that this authority exists and that an amendment such as that suggested in section 2(b) is unnecessary, a statement to that effect in its report on this proposed legislation would be helpful.

As this point, Mr. Chairman, I submit, for inclusion in the record, materials which have been furnished to me by various associations, firms, and individuals in the timber industry. I believe the suggestions contained therein warrant careful study. I ask that they be inserted in the record.

Senator RANDOLPH. That will be done, sir.

(The exhibits referred to follow:)

INDUSTRIAL FORESTRY ASSOCIATION,  
Portland, Oreg., January 18, 1965.

Re S. 327 and H.R. 798

To: Oregon, Washington, California, and Idaho Congressional Delegations

LADIES AND GENTLEMEN: Your attention is invited to the attached memorandum to Senator Morse which is identical to a telegram sent to Senator Neuberger and similar to one sent to Representative Harold T. Johnson.

We urge your full support of S. 327 and H.R. 798, with consideration of the broadening we have suggested in our memorandum to Senator Morse for helping us get restoration of the forest access road system in the three Pacific coast States and Idaho to minimize the effect of the recent disastrous floods upon our economy. More than 400,000 people depend upon the forest industry for their



livelihood in these States, and to the extent that access has been impaired it lessens our chances of keeping people on their jobs. In this disaster we need the same kind of support that we in the Northwest gave to the people of Alaska during their tragedy of last year.

Appreciating your assistance, I am  
Very truly yours,

W. D. HAGENSTEIN,  
*Executive Vice President.*

JANUARY 16, 1965.

Hon. WAYNE MORSE,  
*U.S. Senator,*  
*Senate Office Building, Washington, D.C.:*

Your introduction of S. 327 on heels of disastrous flood to help restore access to timber harvesting operations promptly is most appreciated. Our industry employs 80,000 people with a \$450 million annual payroll in Oregon alone. We generate 60 percent of State's economy. Government owns two-thirds of Oregon timber. Our industry, as part of its Government timber sale contracts, builds roads worth \$27 million annually on national forests and \$9 million on BLM lands. When floods hit, hundreds of timber sale purchasers had roads in all stages of construction. Slides, washouts, and high water damaged or destroyed hundreds of miles of such roads, thousands of culverts, hundreds of bridges, and removed surfacing. Total damage not known yet because many flooded areas are covered with heavy snow. Under existing timber sale contracts operator has responsibility for repair of normal winter damage and does it at his own expense. But because of catastrophic flood damage, if he were required to restore roads or perform extraordinary maintenance it will burden him with additional costs which will jeopardize his operation and the jobs of his employees.

We vigorously support your bill. To carry out its obvious intent to get a maximum number of flooded-out industrial workers back on the job in the shortest time by restoration of access to Government forests we want to suggest you consider broadening section 2(b) of your bill to vest identical authority in both Agriculture and Interior as follows: "The Secretaries of Agriculture and the Interior are authorized, with funds and authorizations available to them respectively for the construction and maintenance of roads and trails on lands administered by them, to undertake either directly or in cooperation with timber purchasers, provisions of existing timber sale contracts notwithstanding, to restore or reconstruct to such extent as they deem appropriate any roads and trails which were in the process of construction by purchasers of timber from lands administered by the Secretaries and which were destroyed or severely damaged by the floods of December 1964 and January 1965."

We also suggest you consider broadening section 2(d) to provide equal coverage for Agriculture and Interior and to cover situations where the agencies have cooperative road agreements with other landowners. We are suggesting here that section 120(f), title 23, read in the pertinent part: "Provided further, that the Federal share payable on account of any repair or reconstruction of highways, roads, or trails on lands of the United States administered by the Secretaries of Agriculture or Interior or on other lands over which the United States holds easements, permits, or other rights of use for the benefit of such lands of the United States, provisions of existing cooperative road agreements notwithstanding, may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system," etc. Further, we would suggest the following for amendment of section 125(c): "The Secretary may expend funds from the emergency fund herein authorized, either independently or in cooperation with any other branch of the Government, State agency, organization, or person, for the repair or reconstruction of highways, roads, or trails on lands of the United States administered by the Secretaries of Agriculture or Interior or on other lands over which the United States holds easements, permits, or other rights of use for the benefit of such lands of the United States, provisions of existing cooperative road agreements notwithstanding, whether or not such highways, roads, or trails are on any of the Federal-aid highway systems."

We have discussed addition of language for coverage of cooperative road agreements with local officials of Forest Service and BLM. They are in substantive agreement with our suggestion. We are sending an identical telegram to Senator Neuberger and a similar one to Congressman Johnson suggesting he incorporate

your section 2(d), as broadened by our suggestion thereto herein, in H.R. 798, The flood is a disaster of greater impact on Oregon's economy than the Columbus Day windstorm of 1962. We need the same cooperative attitude on the part of the Government, industry, and all citizens now, as then, to repair the damage with the goal of getting everyone back to work in the shortest possible time.

PAUL F. EHRINGER,  
*President, Industrial Forestry Association.*

LAW OFFICES, McLEAN, KLINGBERG, HOUSTON & BERGMAN,  
*Longview, Wash., January 19, 1965.*

HON. WAYNE MORSE,  
HON. MAURINE NEUBERGER,  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MORSE AND SENATOR NEUBERGER: As you know, I am one of the attorneys representing International Paper Co. on the west coast, and I am writing you at the request of Mr. A. J. Sandoz, manager of Woodlands, Long-Bell Division, International Paper Co., Longview, Wash.

You promptly recognized the scope and severity of the problem by the introduction of S. 327. Large and small operators are involved and there will be a serious impact on some communities if logging and milling operations must be curtailed because of short log supplies resulting from impeded access.

There has been major damage or destruction of roads and bridges. It is so extensive that it is catastrophic, similar to that of the Alaska earthquake of last year. The cost of restoration, replacement or repair is so great that it cannot be borne by private operators—in some manner it must be absorbed by the Federal Government.

We are suggesting that the scope of S. 327 be broadened to cover these situations:

(1) A purchaser of Government timber is required, by the terms of his timber sales contract, to construct certain roads. The road is substantially damaged by flood after construction is completed or was "in the process of construction" within the meaning of section 2(b) of S. 327. The Government should bear the loss attributable to flood catastrophe. S. 327 now appears to restrict relief to roads "in the process of construction." In the interest of speed, the legislation should also provide that the Government could negotiate for reconstruction and repair rather than be required to put the contract up for bids.

(2) A landowner and the Government (U.S. Forest Service) have entered into a cooperative road agreement under which the Government is the owner of a road and one or more landowners have paid for a share of the road either by payment of cash or constructing a portion of it. Such arrangements exist in the States of Washington, Oregon, and California. In these situations where the Government is the proprietor of the road, it should bear the disaster loss.

(3) A landowner and the Government (Bureau of Land Management) have entered into a joint road agreement, under which the Government has a perpetual easement to the road and is the owner of it. The road was constructed with Federal appropriated funds. The landowner who conveyed the easement has agreed that its share of the road cost is a specified sum and that, until such sum is paid, it will continue to pay a road amortization fee, plus interest. In this situation also, the Government is the road proprietor. It should restore the road at its expense. The landowner would still be obligated to pay its share of the investment, but some provision should be made for waiver of interest.

In order to accomplish these suggestions, it would be necessary to amend S. 327 to establish congressional authority for the release of such road debts or obligations. Additionally, it might be advisable to strengthen the language by specifying in the statute the policy of such forgiveness. As now written, the heads of departments and agencies are granted only discretionary power.

Attached is a draft of an amendment to cover the release feature outlined above.

Certain amendments have already been suggested.

Industrial Forestry Association of Portland has recommended that S. 327 be expanded to give the same power to the Secretary of the Interior to apply to lands administered by the Bureau of Land Management. This is desirable.

Thank you for your consideration in this matter so important to your State.

Sincerely yours,

JUDSON T. KLINGBERG.



## AMENDMENT TO S. 327 AND H.R. 798

The Secretary of Agriculture is authorized to compromise or release such portion of any person's obligation to pay for or build any forest road, trail, or bridge in California, Oregon, Washington, and Idaho under an agreement, easement or permit to or from the U.S. Forest Service as he finds necessary because of the loss, destruction, or damage thereof or thereto, resulting from floods and high water during December 1964 and January 1965.

The Secretary of the Interior is authorized to compromise or release such portion of any person's obligation to pay for or build any forest road, trail, or bridge in California, Oregon, Washington, and Idaho under an agreement, easement or permit to or from the Bureau of Land Management, or any other agency under the jurisdiction of the Department of the Interior, as he finds necessary because of the loss, destruction or damage thereof or thereto, resulting from floods and high water during December 1964 and January 1965.

---

SOUTH COAST LUMBER CO.  
*Brookings, Oreg., March 8, 1965.*

HON. WAYNE L. MORSE,  
*U.S. Senate, Washington, D.C.*

DEAR SENATOR MORSE: We understand that there will soon be hearings held in Washington on legislation designed to provide funds to the Department of Agriculture, U.S. Forest Service, for the repair of road damage that occurred during the recent severe Christmas floods.

Our company is located in Brookings, Oreg., and our main Forest Service timber comes from the Siskiyou National Forest, though we do operate some in the Sixes River National Forest as well. In our dealings in these two forests we work with four separate ranger districts.

The road damage falls into two general classifications, that is damage to access roads leading into sale areas (Government roads) and damage to roads required to be built by the successful bidders on Forest Service sales (operator roads). In the latter category, there are many in-process sales where operator road damage is extensive. Forest Service takes the attitude that there are simply no funds available for the repair of such damage and that the repairs must be made by and at the expense of the operators. Actually, this pushes the overall road cost to the point where it is intolerable for the operator. In those instances where the Government roads leading into the sale area are damaged, there is a special operator problem. Forest Service advises us that it has no presently available funds to make repairs. If the operator has to get into the sale area to remove the logs, Forest Service will usually generously allow him entry but at his own expense. Operators simply don't have the money to repair Government roads simply to get access.

The above problems are further compounded by the price-adjustment provisions in the standard U.S. Forest Service contract. For example, in our case, we have two or three sales where we would presently be removing substantial quantities of timber at a base price computed from last quarter of 1964 figures. However, since we cannot get into our sale areas because of the road problems we are not able to remove the logs. By the time the roads are repaired, the base price then will be adjusted to reflect prices in effect for the first quarter of 1965 which was higher. This will substantially increase our overall stumpage costs. This cost squeeze is caused solely by the failure of Forest Service to reopen their Government roads into the sale areas and allow us to come in and complete our contracts. This seems grossly unfair to us.

May we respectfully suggest that a disaster of this magnitude justifies the appropriation of funds in a sufficient amount to allow the Forest Service not only to promptly repair the damage to the Government's roads but also provide funds to reimburse operators for the catastrophe losses on sale access roads.

Our company is one of the two major employers in the entire county. We employ between 150 and 200 people and we feel a real obligation not only to our employees but to our town to keep in continuous operation. At the present time we are down to about a 30-day log supply and our problem of getting into sale areas seems no closer to solution than it did 2 months ago. Anything that could be done by you to help us would be most sincerely appreciated.

Very truly yours,

C. L. FALLERT, *President.*

OREGON LOGGING CONFERENCE,  
Eugene, Oreg., March 8, 1965.

Hon. WAYNE MORSE,  
U.S. Senate, Washington, D.C.

DEAR SENATOR MORSE: The 27th annual session of the Oregon Logging Conference, membership in excess of 1,850, in meeting on February 26, 1965, at Eugene, Ore., unanimously passed the following resolution:

"FLOOD DAMAGE

"Whereas the December 1964 flood damaged forest access roads in excess of \$100 million in Oregon and the President of the United States declared this a disaster area.

"Whereas, it is vital, to insure a continuous healthy economy in the State, that the damaged roads be repaired immediately to facilitate the transportation of logs to the processing centers.

"Whereas it is essential these damaged roads be immediately repaired to provide adequate fire protection during the 1965 fire season: be it

"Resolved, That the Oregon Logging Conference urge the Oregon congressional delegation to press for quick passage of S.327 and H.R. 798, with amendments to include lands administration under the Bureau of Land Management."

Very truly yours,

ROBERT CROSS, *Secretary-Manager.*

---

CUDDEBACK LUMBER Co.,  
Eugene, Oreg., February 12, 1965.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.

DEAR SENATOR MORSE: I am writing you in regard to money needed by the Forest Service to repair damages caused by the recent flood. As you probably know, the economy of this area is strongly effected by lumber. I feel sure the Government will eventually allow enough money to get things going properly, but I am concerned because I don't think many people in Government realize the speed that is needed to get things going. The Forest Service has done a good job of getting things going so far, but unless you can get them the money they need now, their program will bog down, and in turn, this will hurt all who are dependent on Forest Service timber.

Knowing that you and Congressman Robert Duncan are people who get things done when necessary, I am writing to you, feeling sure you will investigate and get things going.

Thanks and keep up the good work.

Very truly yours,

S. A. CUDDEBACK.

---

PORTLAND, OREG., February 20, 1965.

Senator WAYNE MORSE,  
Senate Office Building, Washington, D.C.:

On behalf of the board of directors of the Portland Chamber of Commerce I urgently request your help in getting prompt action on S. 327 and H.R. 798. We fully endorse the broadening of these bills as suggested by Oregon's forest industry. Unless we get Oregon's forest road system repaired by spring, unemployment will surely result.

D. E. ABRAM,  
President, Portland Chamber of Commerce.

---

COUNTY OF COOS,  
Coquille, Oreg., February 9, 1965.

Hon. WAYNE MORSE,  
U.S. Senator,  
Washington, D.C.

DEAR SENATOR MORSE: We wish to express our thanks to you for the prompt action you have taken for us in Washington to speed up the repairs on timber access and other roads, severely damaged by the December and January floods in Western United States.



The county judges and commissioners of the O. & C. counties met in Portland on Friday, February 5, 1965, and agreed to allow the Bureau of Land Management to dip into planned moneys for recreation and some extended roads to hurry the repairs on damaged access roads to get logs moving before more mills have to shut down.

There are areas in the State now that are unable to get needed supplies of timber. Hope you will be able to get sufficient facts to speed up the needed appropriations for restoring these roads.

Thanks again for the good work.

Yours sincerely,

BOARD OF COMMISSIONERS,  
CHARLES W. MAHAFFY,  
*Commissioner.*  
J. J. GEANEY,  
*Chairman.*

---

PUBLISHERS' PAPER CO.,  
*Oregon City, Oreg., January 19, 1965.*

Hon. WAYNE MORSE,  
*Senate Office Building, Washington, D.C.*

DEAR SENATOR MORSE: We have read with much interest H.R. 798, introduced on January 4, 1965, by Harold T. Johnson, to make funds available for the restoration of flood-damaged areas of the States of California, Oregon, Washington, and Idaho, and have likewise reviewed comparable measure S. 327, introduced by yourself and Senator Maurine Neuberger. The contents of both bills were reviewed further by a special committee of industry, of which we are a member, with representatives of the U.S. Forest Service and of the Bureau of Land Management.

The net result of these meetings led to proposed amendments which have been submitted under the name of the Industrial Forestry Association, of which we are a member, and which amendments we would encourage be regarded as appropriate supplements to this legislation. We cannot overemphasize the urgency of getting this legislation passed, making it possible for the areas affected to be restored to their normal economy, which undoubtedly was the basic reason for the legislation being introduced. A good portion of raw material requirements comes out of the Mount Hood area which was hit very hard. Progress reported by the public agencies in road restoration to main arteries is very encouraging but the funds necessary to go beyond and bypass existing contracts for necessary restoration of roads now under construction is imperative.

You are to be commended for your immediate and forthright approach to the problem, which we are hopeful can be promptly passed by Congress.

Respectfully yours,

HENRY E. BALDRIDGE, *Timberlands Manager.*

---

ASSOCIATION OF OREGON COUNTIES,  
*Salem, Oreg., January 19, 1965.*

Hon WAYNE MORSE,  
*U.S. Senate, Washington, D.C.*

DEAR SIR: The executive committee of this association met Sunday and adopted a resolution in support of S. 327 and similar legislation introduced in the House.

We sincerely appreciate the efforts of our congressional delegation in securing increased Federal participation in the repair of flood damage to our county roads and bridges.

Sincerely yours,

KENNETH C. TOLLENAAR,  
*Executive Secretary.*

#### REPAIR OF COOPERATIVE TIMBER ROADS

Senator MORSE. Some of the materials I have submitted for the record suggest an amendment to our bill which would provide that where there are cooperative timber road agreements, the Secretaries

of Agriculture and Interior should shoulder 100 percent of the cost of restoration of such cooperative roads.

I would point out to the committee that these roads are cooperatively constructed and used by the Federal agencies and private timber companies. The normal method of computing the share of costs on such roads is to relate it to the benefits each obtains from the agreement. The usual measure is the proportion of timber each party has.

Thus, if a road serves an area where the Federal timber is 60 percent of the volume and the private timber 40 percent of the volume, costs and road maintenance are shared on this basis. Of course, there are many special provisions which occur when, from time to time, one party or the other makes heavy use of a road. In such cases the maintenance cost is related to its use.

It is my position that the Federal Government has an obligation to share in the restoration of these cooperator roads but I believe that equity would be done if the Federal contribution were held to the terms of the original agreement. To do more, when unrelated to a directly measured Federal benefit, would be to award a subsidy to the private land owner. In an original agreement that involves 60 percent Federal and 40 percent private cost of the road, the rehabilitation costs should be borne on a 60-40 basis.

The suggestion that the Federal Government assume 100 percent of the cost of repairing or reconstructing these cooperator roads, would only have my support as part of a general Federal policy which would give a 100-percent Federal grant to other segments of the private economy suffering from flood disasters such as store owners, homeowners and business, farmers and people who suffered disaster losses generally.

Section 2(c) of our bill would increase the emergency fund to \$200 million for the period ending July 1, 1966. The Bureau of Public Roads has requested an increase in the limitation to provide for \$80 million for fiscal year 1965 and \$50 million annually thereafter.

If the committee should determine that the Bureau's request is completely adequate to provide emergency funds sufficient to take care of the situation in the Pacific Northwest and other probable developments, I would support the recommendation by the Secretary of Commerce.

However, the committee may wish to raise this limitation so as to cover fully all possible contingencies.

Section 2(d) of our bill would expand the types of roads upon which emergency funds can be expended.

In lieu of the language in S. 327, I would suggest that the committee consider the possibility of amending sections 120(f) and 125(c) of title 23, United States Code, by inserting after the words, "forest development roads and trails," the following: "highways, roads, and trails on lands administered by the Secretary of Interior."

This language would be in lieu of the phrase, "park roads and trails, and Indian reservation roads,". This would continue the use of these funds for these two classes of roads and would add the other roads on public lands, wildlife refuge, and other special classes of land administered by the Secretary of the Interior.



This seems to me to be a simpler and briefer way of stating the availability of the emergency fund since all of the roads represent Federal responsibility, being on Federal land.

#### OTHER PROVISIONS OF S. 327

The balance of S. 327 relates to programs coming within the jurisdiction of the Farmers Home Administration, the Rural Electrification Administration, the Housing and Home Finance Agency, and the Small Business Administration.

It is my understanding that the Senate Public Works Committee, when it gets this bill referred to it, prefers to have these special topics reviewed by the respective committees of the Senate having primary jurisdiction over the subjects of the remaining sections of our bill. Therefore I have confined my statement to the portions of our bill which come clearly within the jurisdiction of this committee, although the bill isn't before you yet, the amount of money involved in it is similar, in fact, identical, to the amount of money involved in S. 1638.

I want you to know I appreciated the opportunity to have presented this statement on behalf of an extremely important segment of the flood-stricken State of Oregon and I know that the subcommittee and its very able chairman will give thorough and sympathetic consideration to the requests made herein.

As I close I ask that a press release of the U.S. Bureau of Public Roads approving California and Oregon flood repair projects be inserted in the record. I call your attention to just one item because it so clearly buttresses what I have testified to here this morning.

The Bureau of Roads says normally the Federal share of the California projects would be \$1,144,739. The forest highway project costs involve 100 percent Federal grants, while the Federal share of the others is 59.78 percent of the cost. However, Mr. Whitton said, only 5 percent of the total cost can now be made available for the work because the Bureau's emergency relief fund is almost depleted.

As a result, he said, California's allotment of Federal funds is \$74,250. Oregon, which ordinarily would receive a 100-percent Federal grant for its \$434,000 forest highway projects, now gets 5 percent or \$21,700.

(The press release referred to follows:)

#### U.S. BUREAU OF PUBLIC ROADS APPROVES CALIFORNIA-OREGON FLOOD-REPAIR PROJECTS

Six projects to repair flood-damaged highway facilities in California at a total cost of \$1,485,000, and four to repair damage in Oregon at a cost of \$434,000 have been approved by the U.S. Department of Commerce's Bureau of Public Roads, Federal Highway Administrator Rex M. Whitton said today.

Both States suffered heavy highway damage last December when struck by floods.

Two of the California projects are on State Route 96, a forest highway in Humboldt County. One calls for fixing approaches and replacing a bridge over Willow Creek at a cost of \$306,000, and the other for repairs to 6 miles of roadway from the bridge to the boundary of the Hoopa Indian Reservation at a cost of \$333,000.

The other four projects are in Mendocino County. Three of them on secondary routes will cost an estimated \$726,000. The fourth is on State Route 128, a primary highway, and consists of repairing intermittent sections of 35 miles of roadway at a cost of \$120,000.

The four Oregon projects are on forest highways. Two of them in Jackson County are on State Routes 62 and 227 and call for repair of sections along 30 miles of roadway at a cost of \$293,000. The third project provides for repairing two bridges and fixing roadway on U.S. Route 26 in Wheeler and Crook Counties at a cost of \$130,000. The fourth is in Josephine County and calls for repairs to roadway and one bridge on U.S. Route 199 at a cost of \$11,000.

Normally, the Federal share of the California projects would be \$1,144,739. The forest highway project costs are 100 percent Federal grants, while the Federal share of the others is 59.78 percent of the cost. However, Mr. Whitton said, only 5 percent of the total cost can now be made available for the work because the Bureau's emergency relief fund is almost depleted. As a result, he said, California's allotment of Federal funds is \$74,250. Oregon which ordinarily would receive a 100 percent Federal grant for its \$434,000 forest highway projects now gets 5 percent or \$21,700.

Mr. Whitton said an agreement had been reached between the Bureau of Public Roads and both States for the latter to accept the 5 percent so that repairs could begin immediately. If Congress should authorize more money, he added, the States would receive additional funds.

A continuing emergency fund \$30 million annually is provided the Bureau of Public Roads by Congress to repair highway facilities damaged by natural disasters to such an extent as to tax a State's resources. Because of the heavy losses suffered this fiscal year from disaster by a number of States, nearly all the money in the fund has been disbursed.

The newest allotments bring to \$3,968,970 the amount of Federal money Oregon has received since the floods struck. California has received \$1,359,500.

Senator MORSE. I don't ring a bell of alarm, Mr. Chairman and members of the subcommittee. I just state a reality. The fact is, unless we get the authorizations so that these funds and these Government departments can be replenished and from the authorizations get the appropriations we are going to have this 5-percent treatment of a dire emergency confronting the economy of my State and California and Washington and Idaho.

Mr. Chairman, and members of the subcommittee, I cannot impress too strongly upon this committee that men are out of work. Do you know why they are out of work? Because damaged roads leading into the mills make it impossible to get the timber in there so that the logs can be processed.

This damage is just unbelievable unless you go out there and see with your own eyes. Now, the two Senators from Alaska were in the same position last year that the two Senators from Oregon are in this year. They pleaded, too. Mr. Chairman, I will go down on my knees and crawl on my stomach if it will help speed up help for my State.

May I say respectfully and ask how long do you think it will take to get emergency funds to Chile? How long did it take to get them to Chile during the last earthquake? They are not confronted with the kinds of checks we are confronted with when we are trying to relieve domestic disasters in the United States.

I am for those checks. I am for applying them to foreign aid, too. That is another question. But the point needs to be driven home. May I say, most respectfully to you as my colleagues, we have a duty to speed up the action here, to get this relief for these States in the Pacific Northwest, because they have a claim upon the Congress morally. They have a claim upon the Congress equitably. Also, when you assist in this disaster you help the economy of the entire United States.

I want to thank you, very much. I will be glad to take any questions you wish to give me.



Senator RANDOLPH. Senator Morse, you have addressed the members of the Subcommittee on Public Roads with your characteristic vigor and knowledgeability. We realize with you the urgency of this problem. That is why we have proceeded as we have today and will continue to give the degree of urgency which we believe this matter deserves as we consider testimony which you have given and that which will be given by other witnesses.

I think it important for the record to reflect that S. 327, which you have introduced for yourself and for your colleague, Mrs. Neuberger, has been referred to the Senate Public Works Committee, but has not been referred to its Subcommittee on Public Roads, the reason being that we have awaited certain administration reports for which we have been pressing heavily.

Senator MORSE. You have been very cooperative and I want the record to show that.

Senator RANDOLPH. Thank you. I have introduced S. 1638 which goes to the same subject matter.

I realize the schedule the Senator from Oregon has today. I am privileged to work under his leadership in the Senate Subcommittee on Education and it is difficult to be in two places at one time. But you are the chairman and I understand the necessity for you to go to that subcommittee. I will not, therefore, ask questions.

Senator MORSE. I will be very glad to be recalled at the convenience of the committee, Mr. Chairman.

Senator RANDOLPH. If it seems that later it would be helpful to you and the members of the subcommittee and then ultimately to the committee, we would want to have the opportunity of going into these matters further. I want the record to reflect also, I think I can speak for all members of the subcommittee in this instance, that we appreciate the leadership of the senior Senator from Oregon in this important matter.

We know the degree of guidance that he can give to us in understanding the facts in this matter. I am hopeful that we may bring this situation to the attention of the committee in executive session next week.

Senator MORSE. I appreciate that.

Senator RANDOLPH. Other matters, of course, will enter into that hoped-for answer to the plea which is made by the Senator this morning. I am sure that the Senators sitting with me want to accommodate the Senator from Oregon.

Senator Cooper—the ranking minority member of the Subcommittee on Public Roads as well as of the Committee on Public Works—has a brief statement which he would like to make before going to another committee meeting. Other members realizing your obligation would withhold. We may have written questions.

Before you leave, Senator Cooper will make a statement.

Senator MORSE. I will be happy to hear the statement.

Senator COOPER. I beg your indulgence because I must go to a Committee on Agriculture where we are voting on a bill; we are trying to get a quorum. Before I leave, though, I just want to say all of us were shocked by the terrible tragedy of the floods in Oregon, California, Washington, and Idaho, and the Western States last year. I will agree with my chairman and the members of this subcommittee

that I think we are under a duty to act quickly and to assist these States.

I would like to say to you that I think you are to be commended for your usual diligence and promptness in introducing legislation last year after this tragic flood. We also remember your strong fight for the construction of dams on the Willamette River, which at least had some effect in alleviating this damage. I think we do want you back to explain to us in more detail your position on the private roads, because as you have stated there is no legislation which envisaged this awful tragedy and disaster and there are inequities involved.

I hope I can get back to hear some of the other witnesses but I did want to say this about the fine work of our colleague.

Senator MORSE. I welcome the opportunity to come back and, again, thank you from the bottom of my heart for this courtesy.

Senator RANDOLPH. Thank you. I think I may say for Senators Moss and Bayh we are conscious of the problem you have this morning. We all feel the need to move this legislation forward and we believe it is imperative to do so.

Thank you, very much.

(Subsequently the following communication was received from Senator Morse:)

U.S. SENATE,  
Washington, D.C., April 5, 1965.

HON. JENNINGS RANDOLPH,  
*Chairman, Subcommittee on Public Roads,  
Committee on Public Works,  
U.S. Senate,  
Washington, D.C.*

DEAR MR. CHAIRMAN: On April 1 when I testified on S. 327, I told you I would examine carefully the reports submitted by the Bureau of the Budget, and the Departments of Agriculture, Interior, and Commerce with respect to certain sections of my bill. I studied these reports and I appreciated having the benefit of the views of the agencies, but in all candor I should indicate that I cannot agree with them on a number of matters of primary importance to the flood-stricken States of the west coast. I am particularly concerned over the lack of any real assistance contained in the administration's proposed formula to allegedly provide relief to timber purchasers holding contracts for road construction where substantial road damage has occurred due to the floods and storms of last winter. The formula proposed by the administration is even worse than the original suggestions I mentioned in my testimony of April 1.

The position I take is that we should have a consistency, a uniformity of position, on these highway and road rehabilitation grants which are related to the west coast flood disaster. On ABC road repairs the law now permits a full 100 percent grant of the original Federal share of the cost (63.45 percent in Oregon) of the road. On the Interstate System I proposed a full 100 percent repair grant of the original Federal share of the cost (92.25 percent in Oregon) rather than the 63.45 percent which is now authorized under the law. On forest highways I propose a full 100 percent grant on repair work equivalent to the original 100 percent Federal contribution. On timber purchaser roads needed for long-term public forest management I urge reimbursement to purchasers equal to 100 percent of the original allowance less the estimated profit and risk allowance factor in the timber appraisal.

Section B5.233 of the new proposed Forest Service contract includes a full adjustment provision, except that the first \$1 per thousand board feet up to a limit of 3 million board feet per contract (\$3,000) will be borne by the timber purchasers, and no loss under \$1,000 will be adjusted. This \$1,000 concept is burdensome on small business and I question its use. For the subcommittee's information I quote sections B5.233 and B5.234 of the March 8, 1965, draft of the proposed Forest Service contract:

"B5.233—*Cost Adjustment for Physical Change.*—If prior to approval, under B5.24, a major physical change, such as slide, washout, landslip, or fire, not



due to negligence of Purchaser, results in additional work by Purchaser with an estimated cost (1) of more than \$1,000 for sales under one million board feet, or (2) of more than \$1 per thousand board feet for sales of one to three million board feet, or (3) of more than \$3,000 for sales over three million board feet, the estimated cost of construction in Table 6 shall be revised.

"In such event, construction specifications and drawings may be revised when necessary to meet the new conditions and such revised estimates and drawings shall be calculated by Forest Service using unit rates comparable with those used in the preparation or revision of Table 6.

"B5.234—*Design Change*.—If Purchaser and Forest Service agree on changes of a substantial nature in location or design of roads or other development facilities specified in Table 5, estimated costs in Table 6 shall be revised to the estimated cost resulting from such location or design change."

I can understand the desirability of a percentage deduction from a portion of the damage that the Government will not absorb. Although a 15-percent deduction of this type has been suggested to the subcommittee I would not venture to offer my judgment on such a technical matter as to the exact percentage that would be appropriate. However, I feel that equity and commonsense suggest the following approach:

For those road which have future and continuing value to the Federal Government for the management of its lands, the timber purchaser road contractor should receive reimbursement equal to the damage that occurred, plus the cost, without a profit, for the additional work required due to a relocation made necessary by the flood.

This proposal will treat large and small firms alike, large and small damage alike, and does no more than reconstitute the original allowance without profit and risk while similarly covering situations wherever additional work is needed. I am attaching computations outlining this approach, which my office has worked up based on the examples furnished on pages 5, 6, and 7 of the testimony of Mr. W. D. Hagenstein, executive vice president of the Industrial Forestry Association of Portland, Oreg. For the sake of convenience I have rounded out to even numbers the figures supplied by Mr. Hagenstein. I have used the 15-percent cost and risk figure, but I offer it only as an example.

In this connection I submit for the consideration of the subcommittee a draft of language which amends the administration's proposal on this topic as contained in the Bureau of the Budget's letter of March 31, 1965, to Chairman McNamara of the Senate Public Works Committee on S. 327:

"Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: The timber purchaser shall bear (a) the estimated cost of the *original* uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred *prior to the floods* on the damaged or destroyed portion of the highway, road or trail. [prior to the floods.] The Secretary shall bear the *balance* [next \$1,000] of the estimated cost of restoration, reconstruction, and completion. [, and the Secretary shall bear 50 percent of the remaining estimated costs.] This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500." (New language italic; old language bracketed.)

With reference to the problem of cooperative roads used by the Government and private timber operators, my office was pleased to learn from the Forest Service, after I testified on April 1, that it has entered into agreements with almost all road cooperators who suffered damages. These agreements reflect the cost-sharing proposals set forth in my testimony of April 1 where I pointed out that, in my opinion, equity would be done "if the Federal contribution were held to the terms of the original agreement." I am also advised the Bureau of

Land Management will be able to proceed similarly. This demonstrates, in my opinion, the reasonableness of the approach I suggested on the problem of damage to roads jointly serving public and private timber under agreements.

In conclusion, I wish to express again to the chairman and the members of the Public Roads Subcommittee my deep appreciation for the very fair and courteous hearing which they gave me on April 1. I am particularly grateful for the chairman's assurance and those of his colleagues on the subcommittee that every effort will be made to take prompt action on the subject of S. 327. Oregon and other Western States have suffered tremendously due to the floods of last winter and I can assure the subcommittee and the full committee that whatever action they take to assist the flood-stricken Western States will be deeply appreciated by the people of those areas and those who represent them in the Congress of the United States.

Best personal regards,  
Sincerely,

WAYNE MORSE.

Senator RANDOLPH. I will place a letter from the other fine Senator from the State of Oregon, Maurine Neuberger, in the record at this point. Senator Neuberger's letter contains her reason for not appearing but presents her statement for the record.

(The letter and statement follow:)

U.S. SENATE,  
Washington, D.C., April 1, 1965.

HON. JENNINGS RANDOLPH,  
*Chairman, Public Roads Subcommittee,  
Senate Public Works Committee,  
Washington, D.C.*

DEAR MR. CHAIRMAN: I appreciate the attention which you and members of the committee have given to problems of flood disaster relief in the State of Oregon. Due to committee business, I will be unable to appear in person to discuss the need for restoration of forest access roads on Bureau of Land Management and Forest Service acreage in Oregon. However, I hope that my enclosed statement can be made a part of the hearing record.

With best wishes,  
Sincerely,

MAURINE B. NEUBERGER, *U.S. Senator.*

STATEMENT OF HON. MAURINE B. NEUBERGER, A U.S. SENATOR FROM THE STATE OF OREGON

Mr. Chairman, about 53 percent of the land area of the State of Oregon is owned by the Federal Government. Much of this land is the source of timber for the forest products industry, the mainstay of Oregon's economy. The disastrous floods of December and January caused millions of dollars of damage to the highway, road, and trail systems on these federally owned acres. This transportation system is vital to the forest products industry because it is used for movement of vitally needed logs.

Unless the forest access roads of the Bureau of Land Management and the Forest Service are fully reestablished in the next few weeks, many mills which operate on timber obtained from Federal land will be forced out of business. Drastic action will be required if the Federal agencies are to fulfill their responsibility for proper forest management and as the major suppliers of raw material to the industries of our State.

It is my hope that these hearings by the Senate Public Works Committee will provide the information on which we can base long-range policy for dealing with the complicated situation in which we now find ourselves. There are no clearly delineated Federal policies for determining who should bear the cost of road reconstruction in the national forests and on Bureau of Land Management lands when these are being constructed by purchasers under timber contracts.

When the winter floods struck in the Oregon forests, roads being built under timber contracts were in various stages of completion. We are now faced with questions on the degree of Federal responsibility for bringing the access roads to their pre-flood stage of development. In my opinion, the Secretaries of Agriculture and the Interior should be given flexibility in making administrative



determinations. We must establish procedures to bring about equitable adjustments with timber operators who have experienced extensive flood damage to constructed roads. In good conscience, the Federal Government cannot use technicalities in requiring timber contractors to bear the entire cost of rebuilding a flood-damaged road that was substantially completed. Determination of cost sharing will have to depend on the pertinent facts involved in each individual road contract.

All Oregonians have a debt of gratitude to members of the Senate Public Works Committee who had in past years authorized and approved the flood control dams and other facilities which were responsible for reducing the flood toll. I have no doubt that these dams already in existence more than paid for the \$572 million investment by cutting flood losses throughout the State of Oregon in the months of December and January. Next month, I will present testimony to the committee urging an acceleration and expansion of the Federal flood control program in my State.

Senator Moss (presiding). We will proceed with the hearing. The chairman will be temporarily absent and I have taken the chair in his absence. He will be back shortly. We will be pleased now to hear from the Senator from Idaho, Senator Len Jordan.

Senator Jordan, we are glad to have you before the subcommittee and we look forward to your testimony.

#### STATEMENT OF HON. LEN B. JORDAN, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator JORDAN. Thank you, Mr. Chairman. It is a pleasure to be before this subcommittee although the mission that brings me here is one of some consequence and tragedy to the people of my State and the whole Northwest. Fortunately, Idaho was not as badly damaged by the floods as were our neighbors on the coast, Oregon and California, in particular. But we did suffer substantial damage. The Northwestern States have experienced not one but two flood situations during 1964-65, and flood damage in Idaho has not yet been fully assessed because many of our roads, bridges, and other structures are in high elevation sites which are still now snow covered. The runoff from our unusually heavy snowpack may still cause considerable damage if unseasonably warm weather and heavy spring rains occur.

I appreciate the opportunity to present my views to your subcommittee for consideration in connection with amending section 125, title 23 of the United States Code. This amendment will provide for \$80 million in emergency relief funds for the remainder of this fiscal year and \$50 million annually for future years.

It is important that plans be made at once for the repair, restoration, and rehabilitation of our roads and highways. These transportation routes are required to keep our mines, industrial plants, lumber and pulp mills, forest management agencies, and our farms in operation and to keep those engaged in these activities employed.

We have some preliminary estimates for flood damage from various county, State, and Federal officials. They are not detailed or complete, but they do indicate that large sums of emergency funds will be needed at all levels. Many flood damage losses on private property have been reported to me, but most of the repairs, reconstruction, and rehabilitation of this land will be paid for from private funds and in many instances by private loans.

With more than 64 percent of the land within Idaho's boundaries in Federal ownership, a good share of the damage costs should and

will be paid for by the Federal Government. The Army Corps of Engineers indicated in its preliminary postflood report that an estimated \$2,840,000 is needed in the Clearwater River Basin.

Much of this is for roads, bridges, and levees on Lapwai, Big Canyon, Mission, Lawyers, and Orofino Creeks and for levee repairs at Kooskia. There were some damages on the Boise River watershed, Cottonwood Creek, and some in Owyhee County which will exceed \$125,000. This does not include some 80 smaller projects totaling \$311,500 which will be restored under Public Law 99, and some 36 projects under Public Law 875 totaling \$184,300.

There was some damage on the Upper Snake River and on land north of Rupert where private land, State highways, and railroad properties are involved.

The U.S. Forest Service estimates the damage on its land in Idaho will cost approximately \$3,974,560 to repair. Most of these damages are in Coeur d'Alene and St. Joe National Forests. The Forest Service plans to reprogram the amount of \$756,000 which may be applied when emergency needs are indicated.

As I stated earlier, many of the roads, trails, and bridges in the high country of our national forests are still inaccessible and the erosion damage to this land may run into millions of dollars. Some of these problems, of course, will be considered in other bills and before other committees.

The Bureau of Reclamation has experienced flood damages, and advised me it will spend some \$30,000 in the A. & B. Irrigation District north of Rupert and \$25,000 in the Minidoka Irrigation District near Burley. The Bureau of Land Management estimate it will spend approximately \$180,000 on its land in Idaho, transferring funds from other programs to meet this need.

The Idaho State Highway Department expects to spend some \$2,093,000 on emergency relief highway and road projects under title 23 of the United States Code.

We are receiving flood damage reports from various boards of county commissioners, but they have not completed their appraisal of damages.

Idaho has not suffered to the same extent as some States, particularly California and Oregon, but from this preliminary review it is quite evident that additional Federal funds will be needed.

I am confident that, with the information provided at these hearings and the great knowledge and experience you and the members of this subcommittee have of flood damage problems in the Northwest, you will do what is necessary and expedient to authorize legislation that will be of assistance to us.

Now I have prepared a summary, Mr. Chairman; I don't believe you have it here. It appears the total estimated flood repair needs now reported in my statement are:

By the Army Engineers, \$3,400,000; by the Idaho State Highway Department, \$2,093,000; by the U.S. Forest Service, \$3,974,560; U.S. Bureau of Reclamation, \$55,000; U.S. Bureau of Land Management, \$180,000; and the Idaho counties for which I do not as yet have a complete list, \$1,315,800



(The exhibit referred to follows:)

<i>Total estimated flood repair needs</i>	
Army Engineers-----	\$3, 460, 000
Idaho State Highway Department-----	2, 093, 000
U.S. Forest Service-----	3, 974, 560
U.S. Bureau of Reclamation-----	55, 000
U.S. Bureau of Land Management-----	180, 000
Idaho counties (incomplete)-----	1, 315, 800
Total-----	11, 078, 360

<i>Breakdown of Idaho counties reported to date</i>	
Ada-----	\$25, 000
Blaine-----	35, 000
Butte-----	5, 640
Cassia-----	5, 000
Elmore-----	125, 000
Lewis-----	8, 800
Nez Perce-----	217, 600
Minidoka-----	100, 000
Madison-----	22, 000
Washington-----	311, 760
Power-----	460, 000
Total-----	1, 315, 800

Senator JORDAN. I thank the chairman and the members of the subcommittee for permitting me to appear here this morning.

Senator Moss. Thank you, Senator Jordan for your testimony here outlining in some detail the flood damage that has been suffered in Idaho, which even though it is less than Oregon is still very great.

I can understand your concern that we prepare to remedy these damages and repair them as rapidly as possible.

In your opinion, is the amendment that is proposed to increase the emergency relief funds from \$50 to \$80 million adequate to finance these various repair works that are needed?

Senator JORDAN. Mr. Chairman, I didn't hear the testimony of my colleague, Senator Morse, nor have I heard the testimony of witnesses from other States. I could only say that Idaho's need as of now is in the order of \$11 million.

I don't know how much more it will be when we finally get all the information in from the high country.

Senator Moss. Your opinion, then, is that it might not be entirely adequate, if the damage in the other States is even greater than Oregon's?

Senator JORDAN. Yes. I think it is quite possible that it is not going to be adequate.

Senator Moss. To what extent were the flood control programs useful in alleviating flood damage in Idaho? Has there been any instance of that?

Senator JORDAN. Yes, a very splendid instance of that was on the Boise River. The Boise River was completely controlled by the flood storage dams on the stream, there are three or four of them. They prevented what would otherwise have been a most disastrous flood in the Boise area because there was no destruction there by reason of the floods.



The reservoirs were pulled down and had ample capacity to confine the flood waters on the Boise and its tributaries. That is a fine example of flood control and certainly a tribute to the foresight that planned and built these projects. This is well illustrated by the service they rendered this spring during the floods.

Senator Moss. I am very glad to have that in the record because in this committee, dealing with flood control projects on a regular basis, annually we received very severe criticism about the "pork barrel" where everybody is supposed to be dipping into the "pork barrel" to get some kind of a flood control project in his State, and he is doing it only for political reasons.

I think here is a very dramatic justification for the type of projects that are built for flood control and economic benefits that flow from building these control projects.

Senator JORDAN. Mr. Chairman, there has been no expenditure for flood control in my State that hasn't been justified many times in controlling the damaging floods that come down off the mountains in the springtime on their way to the sea.

Senator Moss. I thank you, Senator Jordan.

Senator Bayh, do you have any questions of the Senator?

Senator BAYH. I don't think so. The Senator has graphically painted the need for this relief. I hope that we can do as the chairman says and speedily provide it.

Senator Moss. Thank you.

Senator Fong?

Senator FONG. Yes, Mr. Chairman. Thank you, Senator Jordan for your very clear and coherent statement this morning. I know of your very great concern for the people of the Northwest States and how deeply you wish to have these highways, bridges, and eroded places rehabilitated. I know you have also been in the forefront in pressing for relief and help for the Northwest States and that you are also working for the betterment of your State and for your people.

May I ask you one question, Senator? This increase in appropriations which you are requesting, is that primarily for reconstruction of highways, bridges, roads, and to take care of erosion?

Senator JORDAN. Yes; but very little of it to take care of erosion. Most of it is for highway structures and highway roadbeds that were completely destroyed by the floods.

Senator FONG. You said that the damages have not yet been clearly assessed?

Senator JORDAN. Yes. It is very difficult, Senator, to assess the damages that have taken place in some of these areas that are still inaccessible by reason of snow. We have some high country in my State up to 12,000 feet in elevation. It has been quite impossible to get into some of the back country to know just how extensive the damage really is.

Senator FONG. What part of your State is affected?

Senator JORDAN. The worst damage actually was done in the Clearwater drainage area in north central Idaho. That is where the most damage was done.

Senator FONG. Thank you for your very fine statement. I know it will be very helpful to this committee. I know that this committee will do something.

Senator JORDAN. Thank you, sir.

Senator Moss. Senator Murphy?

Senator MURPHY. No questions. I congratulate you. I have had similar experiences in California and later on will testify if the committee wishes.

Senator Moss. Fine.

Thank you very much, Senator Jordan; we appreciate it.

Senator JORDAN. Mr. Chairman, I thank you and the committee for allowing me to appear here and present this testimony.

Senator Moss. We were very happy to hear you, sir.

Senator Murphy, would you care to make a statement now?

Senator MURPHY. I would informally say that my first job as U.S. Senator was to fly over the damaged area of northern California. I have in my office photographs and motion pictures of the area and the damage is unbelievable unless you have seen it. The need for repair is immediate because these people that live in the area are completely dependent upon the roads.

The State of California, I believe, has just passed a bill to provide their share of the cost by raising the gasoline tax temporarily and the effect of that will be immediate.

The railroads, I am happy to say, have done an excellent job in rebuilding. That is extremely important because 75 percent of the commercial economy moves on the railroads such as lumber moving in and out.

There were altogether about 100 miles of railroads destroyed. In places you would see upwards of a quarter of a mile of rails just hanging in mid air where the water went 20 feet above the rails and as it receded it pulled all the earth away with it. The damage was unbelievable along the Pacific coast.

Hundreds and hundreds of millions of board feet of redwood logs that had been just washed off the logging decks and carried out to sea. So, I am very sensitive to the need of this. I am extremely happy to have the opportunity to serve on this committee. I am quite certain of all the things that can be done to help the people in trouble, this is one of the most important.

I am pleased to be part of your committee, Mr. Chairman.

Senator FONG. I want to state that I am very interested in this rehabilitation because I note in the newspapers they say that this storm came from Hawaii. I don't think it did. I think something happened there where the wind currents were not able to penetrate the warm front and it caused this precipitation in the Northwest. That is the reason why I am very interested.

Senator Moss. Are you confessing that you temporarily lost control of the elements out there?

Senator FONG. It was a little beyond our control.

Senator MURPHY. Mr. Chairman, I might say that I have just come back from the Northwest. They have had more snow in a later period of the year than is usually the case and I am afraid we are apt to have flood troubles very shortly with the spring and warm rains coming on.

I think this will point up the need for this. Mr. Chairman, with your permission I have a statement I would like to put in the record.

Senator Moss. It will be inserted in the record at this point.



(The prepared statement referred to follows:)

PREPARED STATEMENT OF HON. GEORGE MURPHY, A U.S. SENATOR FROM THE  
STATE OF CALIFORNIA

The statement I have prepared to present this morning to my colleagues on this subcommittee concerning S. 1638 will be relatively brief since the facts connected with the proposed legislation are clear, direct, and most persuasive.

As each of you knows, section 125(a) of title 23, United States Code, has authorized, since 1956, the annual expenditure of \$30 million for emergency relief work for the repair or reconstruction of highways.

The bill under consideration today, S. 1638, would increase the authorization for fiscal year 1965 from \$30 to \$80 million and would raise the annual authorization for each year thereafter to \$50 million.

The necessity for favorable action on this legislation becomes readily apparent from any study of the current status of the 1965 emergency funds and the requirements in highway repairs and reconstruction which are still to be met.

Here, in brief, is the situation insofar as the fund itself is concerned: Of the \$30 million originally authorized, only \$7 million remained available as of 6 weeks ago. At the same time, the Bureau of Public Roads had received requests for emergency funds which accounted, not only for this remaining \$7 million, but also for \$12 million more.

And finally, additional projects have been prepared and submitted since that time by various States.

Unless additional authority is made available, none of the requests in excess of the \$7 million I mentioned can be granted.

The enormity of this problem, and the importance of taking prompt and decisive action to solve it, can be judged from a few statistics about my own State of California and others in the area.

As a result of last December's floods, California alone suffered such extensive damage that the Federal share of the costs to repair damage for primary and secondary highways has been estimated at \$14.5 million.

This, plus the Federal share in Idaho, Oregon, and Washington, is about \$25 million, but the States have been authorized to proceed with repairs within this amount totaling only about \$1.8 million.

A similar situation prevails concerning forest highways.

When all requests are in for appropriate Federal assistance of this nature in the flood-damaged areas of the Northwest, it is estimated that the total balance will be about \$43 million.

Passage of the legislation before us today would finance that balance and provide a small reserve for future emergencies during the remainder of fiscal 1965.

Concerning the second part of the bill—that is, the provision which would raise the annual emergency authorization—it should be remembered that the cost of the highway work made necessary by the earthquakes and floods of the past 2 years has been considerably higher than in the preceding several years.

The fact, quite simply, is that costs during 1956, when the \$30 million limitation was imposed, were far lower than they are now, and that we must raise the amount if we are to be prepared to move rapidly and effectively when disaster strikes.

Later today, when the Senate convenes, I shall ask unanimous consent to be added as a cosponsor to this legislation, S. 1638.

I respectfully urge that the members of this subcommittee, and of our committee as a whole, give prompt and favorable action to the measure.

Senator Moss. This is the fear that Senator Jordan expressed that because of the deep snows and high country we may yet have flood damage that will require assistance and also money to rehabilitate damages done by the floods.

Thank you very much, Senator Murphy.

I am in receipt of a letter from Senator Magnuson of Washington, that is addressed to Senator Randolph. It contains a joint statement from him and his distinguished colleague, Senator Jackson. I will order the letter and statement placed in the record at this point.



U.S. SENATE,  
COMMITTEE ON COMMERCE,  
*April 1, 1965.*

HON. JENNINGS RANDOLPH,  
*Chairman, Subcommittee on Public Works,*  
*U.S. Senate.*

DEAR SENATOR: In response to your kind invitation of March 26, Senator Jackson and I are submitting a joint statement in support of S. 1638, on which you held hearings today.

We thank you for this opportunity and hope you and your subcommittee will act favorably on this badly needed legislation.

Kindest personal regards,  
Sincerely,

WARREN G. MAGNUSON,  
*U.S. Senator.*

STATEMENT OF HON. WARREN G. MAGNUSON AND HON. HENRY M. JACKSON, U.S.  
SENATORS FROM THE STATE OF WASHINGTON

We know that this subcommittee fully understands and appreciates the great difficulty now facing our States, Oregon and California, as a result of the December 1964 and January 1965, flooding.

We believe the administration bill, S. 1638, is plainly needed, and we wish to express our strong support for it. It would increase the authorizations available for emergency repair and reconstruction of Federal-aid highways from the present \$30 million to \$80 million for the fiscal year 1965 and to \$50 million for each fiscal year thereafter.

We also want the subcommittee to know of our firm support for the omnibus bill, S. 327, introduced by the Senators from Oregon. That bill would authorize the Secretary of Agriculture to assist in the restoration of forest roads and trails, and to compromise or release necessary portions of a borrower's indebtedness under the Farmers Home Administration and Rural Electrification Administration programs. The bill would also liberalize certain Housing and Home Finance Agency and Small Business Administration terms. We believe that the severity and extent of flood damage, which badly injured many private and corporate property owners, justifies these specific authorizations of Federal assistance, in addition to the administration bill merely to raise the emergency highway repair authorizations.

The need for an increase in the amounts available for emergency relief has become increasingly apparent in recent years. This fact is witnessed by the number of additional authorizations which the Congress has found it necessary to enact from time to time in response to specific disasters in the States.

This growing awareness among those cognizant of the problem was brought suddenly to full realization by the disastrous floods of last December and January. These floods, which caused unprecedented damages in the States of Washington, Oregon, Idaho, and California, laid waste many miles of Federal-aid highways and bridges.

The December flood resulted from warm temperatures and heavy rainfalls melting the ground cover of snow, causing record floodflows in locations throughout much of the southeastern and south central portions of the State of Washington. These unusual heavy rains and mild temperatures again occurred during the last week in January, causing additional flooding and damage, mainly to the west central portion of the State.

Both of these floods caused heavy damages to roads and bridges on the Federal-aid highway systems, estimated to total in excess of \$1.5 million in the State of Washington alone. The Federal share of the cost for repair of this damage on Federal-aid primary and secondary highways is estimated to be \$1.1 million. There was an additional \$100,000 in damages to forest highways in our State.

On February 8, Governor Evans proclaimed that a state of emergency existed in the counties of Asotin, Benton, Clark, Columbia, Cowlitz, Franklin, Garfield, Grays Harbor, King, Kittitas, Klickitat, Lewis, Mason, Pacific, Pierce, Skamania, Snohomish, Spokane, Wahkiakum, Walla Walla, Whitman, Yakima, and the city of Spokane as a result of the floods. The Federal Highway Administrator concurred in Governor Evans' proclamation. An investigation of the damages by the Bureau of Public Roads resulted in a finding that an allotment of emer-

gency funds to the State of Washington was warranted under the provisions of section 125 of title 23, United States Code.

However, since these floods followed hard upon the heels of the Alaska earthquake, and the spring floods in Idaho and Montana, emergency funds made available under that section are near exhaustion. The Bureau of Public Roads is consequently unable to approve programs of repair and reconstruction projects at the full pro rata Federal share at the present time. It is our understanding that this leaves only two alternatives possible. First, there may be token Federal financing of up to 5 percent, subject to increase to the regular pro rata Federal share when additional emergency funds become available. Second, the State may program the repair and reconstruction projects with regular Federal-aid primary or secondary funds, subject to the understanding that these projects could be converted to the emergency program when emergency funds were available.

We would like to emphasize that these alternative measures of partial relief are only stopgaps, and cannot in any way be considered as a substitute for the necessary additional emergency relief funds to be provided under S. 1638.

Of course, the devastation caused by these floods has fallen with like severity on the States of California, Idaho, and Oregon. The estimated Federal share of the damages to Federal-aid highways, and forest highways in all four States is approximately \$56 million. Of this amount, only about \$12.1 million can be financed under the existing authorizations. This would leave an unfinanced balance of about \$44 million. If legislation such as S. 1638 were not enacted, it is apparent that this balance would well exceed the \$30 million normally authorized for the next fiscal year, with a further carryover of \$14 million into the third fiscal year.

We believe that the economies of the States affected cannot be permitted to suffer the continuing erosion which would result from such a stretchout of the necessary repair and reconstruction work. Adequate transportation is a prime essential of economic recovery of any area afflicted with so grave a disaster. Prompt repair of streets, roads, and bridges is a first requisite for the restoration of adequate transportation, and these additional funds are absolutely necessary for urgent program of repair and reconstruction.

S. 1638 would provide these additional sums to deal with existing damages, and would provide future additional authorizations to cope with the necessarily higher cost of repairing or rebuilding damage to today's vastly improved and expanded highway network.

We must also emphasize that the flood damage in our State and the Pacific Northwest extends far beyond highways. To assist property owners, local government, and private business to get back on their feet, a specific commitment of Federal assistance to cope with this emergency is necessary. That is the reason we also support the omnibus bill, S. 327.

Senator Moss. We are very happy to have Wendell Wyatt, the Congressman from Oregon. We will hear from you now, Congressman.

#### STATEMENT OF HON. WENDELL WYATT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. WYATT. Thank you, Mr. Chairman and members of the subcommittee. I have submitted a statement which I would ask to be made a part of the record here this morning. I will be as brief as I can in view of the committee's time and I will summarize my testimony.

Senator Moss. That will be fine. The statement will be included in full in the record and you highlight it for us if you will, please.

(The prepared statement referred to follows:)

#### PREPARED STATEMENT OF HON. WENDELL WYATT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. Chairman, my appearance this afternoon is to emphasize in the strongest possible manner the utmost importance of prompt legislative action by the Congress to help alleviate the disaster suffered in Oregon, California, Washington, and Idaho, in December 1964 and January 1965.



It is my fear that the urgency felt at the time of this disaster has waned with the passage of time. The magnitude of the disaster is comparable to the disaster occasioned by the Alaskan earthquake and tidal wave. The disaster will spread geometrically on the economy of the States involved unless money is made available and promptly to restore forest roads damaged and destroyed. Unless these roads are promptly repaired, logs will not move out of the woods, mills will not operate, and the lumber industry, which is the backbone of the economy of my State, will be in very serious difficulty.

Jobs, of course, in the lumber and timber industry will be lost and many, many jobs will be lost in supporting dependent industries.

This is not something that is academic to me. I have personally viewed the devastated areas in my congressional district from the vantage point of a helicopter and have personally taken colored slides illustrative of the various types of damage suffered. In my district is included portions of three significant national forests; namely, Mount Hood National Forest, Siuslaw National Forest, and Willamette National Forest. In addition, there are great quantities of timber in the Oregon and California lands administered by the Bureau of Land Management. From these Federal forests flow a very high percentage of the logs sustaining the jobs and payrolls in my district and in the State of Oregon.

Again, I would like to emphasize that very prompt action is necessary if these roads are to be rebuilt in time to avert a severe depression in our economy this summer and fall because of the resultant shortage of logs.

The State of Alaska was the recipient of prompt relief following its great disaster. We need relief likewise.

I cannot commend enough the Public Works Committee and the subcommittee here today, under the able leadership of Congressman Robert Jones, of Alabama, for its prompt action in flying to the scene of the disaster early in January personally to view damage caused by the December and January storms to timber access roads and to other persons so adversely affected. The committee was also able to personally see the great devastation rendered to the agricultural community in my district and view the losses of individuals and businesses. A view of the scattered debris on private and public lands and clogging our streams was also apparent.

Various bills have been introduced to remedy this situation patterned to an extent after the Alaskan Relief Act. I would like to specifically state that I support the bills introduced by Congressmen Harold T. Johnson and John McFall, and by Congressman Al Ullman, Congresswoman Edith Green, and Congresswoman Julia Butler Hansen. Also on the Senate side I support the bill introduced by Senators Morse and Neuberger. I believe the authors of all of these bills concede the high desirability of amendments which would result in giving the Secretaries of Agriculture and the Interior the rights to rebuild forest access roads in areas under their jurisdiction. An equally important amendment to the bills should authorize the Secretaries, within their discretion, to rebuild or contribute to the rebuilding of operator roads—roads built by timber operators under the terms of timber purchase contracts on Government-owned forest lands. The Government is the owner of these lands and should have any owner responsibility in relation thereto. As a practical matter, if the Government is not authorized to rebuild or contribute to the rebuilding of these roads they may not be rebuilt, with consequent great economic losses. To be more specific and to give you an example, I am referring to the typical operator who has purchased a stand of Government timber under a sales contract and has invested perhaps \$20,000, \$30,000 or \$40,000 in building a road in connection with the timber purchase as provided by the contract. This road has been damaged or destroyed by an act of God, over which, of course, he has no control and without remedial legislation he would have to spend perhaps what he has already once spent again and even in some cases more. In many cases this might result in completely breaking the operator. In many cases the roads simply would not be rebuilt.

We need help now.

Mr. WYATT. Thank you, sir. I would like to say at the outset that the damage done in the floods of last winter in dollars and cents approach and perhaps surpass the damage that was done in Alaska in their earthquake. This is something that is not generally realized. I think that we all realize the need for some Federal legislation to assist us.



One thing which I believe I have sensed this morning from the committee's reaction to the previous witness is that this committee feels the urgency of the situation. I am greatly heartened to know this because here we are at the first of April. The damage occurred for the large part in late December and was then done again so to speak in January and we have been unable to get action from the agencies downtown which would make meaningful legislation possible here in the Senate or the House.

So I cannot urge too strongly the need for some urgent action. If we don't have legislation soon it is going to be too late. Here are the results, gentlemen, of the failure to have some meaningful legislation out of this Congress and soon. I come from the First District in Oregon, which is the northwest corner.

I think my district was probably just about as badly hit as any district in the Northwest, or in northern California. The lumber industry is the backbone of the economy in my district. If these roads are not replaced, if the way is not found to replace them soon, logs will not move out to operate our mills this fall and summer.

The disastrous results to our economy are beyond conception. We have already had huge losses to businesses and concerns. We will have mills shut down. We will have people out of work. We will have widespread unemployment. We will have personal damage and we will have loss of markets. I will point out to the committee also that there will be substantial losses to the Federal Government in tax revenues if this occurs.

I submit to the committee that the investment that is being asked for here is a good investment as an investment only from the standpoint of the Federal Government, because I think that it is entirely possible that much more than this being asked for by way of appropriations will be lost to the Federal Government if prompt action is not taken.

I would like to speak for a moment to one particular problem that I think is of great urgency. That is that amendments be worked out by this committee and by the House committee addressed to this problem.

I think the bills should authorize the Secretaries of Agriculture and Interior, within their discretion, to rebuild or contribute to the rebuilding of operator roads. These are roads, as you know, which are built by timber operators under the terms of timber purchase contracts on the Government-owned forest lands.

We have a special problem in Oregon, and in most of our Western States, in that we have a substantial amount of our land that is owned by the Government. This is a concept that is difficult for persons representing the Eastern States sometimes to recognize. In Oregon, 52 percent of our real estate is owned still by the Federal Government.

Now the Government is the owner of these forest lands in many instances. I feel, and feel strongly, that they should have an owner's responsibility in relation to this land. As a practical matter, if the Government is not authorized to rebuild or to contribute to the rebuilding of these roads, they may not be rebuilt because it would be impossible for the small operator to do it and there will be constant great economic losses.

To be more specific to this committee, I would just like to give you an example. I am referring to the typical operator who has pur-

chased a stand of Government timber under a typical sales contract. He has invested perhaps \$20,000 or \$40,000 in building a road in connection with the timber purchase as provided by the contract.

This road has either been damaged or destroyed by an act of God, over which, of course, he has no control. Without remedial legislation he would have to spend perhaps what he has already once spent again and even in some cases more. These timber contracts, it is my understanding, are being redrawn so as of the first of July this situation will be taken care of in the future by a consideration by the Federal Government of the cost of the repairing of these roads of 50 percent which is a figure I have heard bandied around. This will not do the job and I don't think it will fulfill the Government's obligation with respect to its position as owner of these Federal properties.

These roads will not be rebuilt on that kind of a formula. I think it is the Government's responsibility to do it. At least the Secretaries should have the discretion to rebuild these roads where necessary or to work out a suitable formula for rebuilding these roads depending upon the circumstances.

Now I cannot urge too strongly the fact that I think this, in the long run, is a good investment on the part of the Government. I don't think we are here with our hands out asking for a deal. We are asking the Federal Government to do something which is in the best interest of the Government itself.

Thank you very much, gentlemen, I appreciate your time.

Senator MOSS. Thank you, Congressman WYATT, for your statement. I am sure your plea for speed is appreciated. It is indeed necessary that we proceed at once to remedy the damages done in many places or the economy will suffer in wide areas of our country. So, we are glad to have you come and testify for us.

I don't know whether there are any questions by members of the committee.

Senator BAYH?

Senator BAYH. Congressman, I just want to clarify for the sake of the record the last statement that you made, sir, concerning the strong feeling you have for a sizable percent if not 100-percent participation, in the Federal Government in restoring these timber roads. Were you speaking, sir, to those roads that are owned by the Federal Government, where the property in the area is totally federally owned, or were you also referring to those in which there is a co-operative road in which the original road was constructed on a cost-share basis between the Federal Government and the private timber operators, depending upon the percentage of the timber owned by these two factors in the community?

Mr. WYATT. Senator, I was speaking principally in connection with Government-owned lands on which operators have built roads as part of the contract.

Senator BAYH. Senator Morse pointed out that there is also need to do something about the timber roads in which the Federal Government owned part of the property and private land owners owned part of it. Your remarks went to the totally owned Federal timber.

Mr. WYATT. Yes, sir. I think my statement would cover that, Senator. But I would certainly associate myself with Senator Morse's



testimony and his point of view with regard to these cooperative roads. There is certainly a big need there. But I am very much concerned about the Government-owned property and the roads that were built by operators under contract there because of rumors that I have heard that the Government would not assume what I feel is its responsibility in connection with these roads.

Senator BAYH. Thank you.

Senator Moss. Senator Murphy, do you have any questions?

Senator MURPHY. No questions.

Senator Moss. Congressman Wyatt, we appreciate your testimony.

When Senator Morse was testifying there was some question whether or not S. 327 was before us. I can say officially it is now because the reports from the Government are now in and we are considering this bill along with S. 1638.

We have received a statement from Congressman Robert B. Duncan, of Oregon, representing the Fourth District. It will be placed in the record in its entirety, at this point.

(The statement referred to follows:)

STATEMENT OF HON. ROBERT B. DUNCAN, A REPRESENTATIVE IN CONGRESS  
FROM THE STATE OF OREGON

THE EVENT

Mr. Chairman, western Oregon has a long history of flooding, particularly during the snowmelt and subsequent runoff in early spring. Most of these floods, though, have hit only one or two watersheds at a time. But during the Christmas week of 1964, not one, two, or three rivers flooded: the entire Pacific Northwest from the Columbia River south far into northern California was hit by near-record rainfalls. Warm temperatures contributed snowmelt to increase streamflows. Every stream in this vast portion of the country literally went wild.

The Rogue River earned its name as it rose 111 feet above mean low water level at Agness, taking out a bridge 90 feet above normal river level. The Umpqua swept bridges from their footings; the Santiam ripped homes from the floors of the valleys; the McKenzie roared out of the mountains, piling debris in the valley fields; the Clackamas scoured one of the Nation's busiest forest highways from the canyon walls. Even the lesser streams of Oregon turned into terrifying torrents, crushing homes, burying orchards with logjams, depositing many feet of silt on fields, and sluicing roads and highways into the valleys.

For a short while the people of Oregon were numbed, in a state of cold, sodden shock, not fully comprehending the awesome magnitude of the tragedy which struck them. Before the waters had subsided, however, the residents began to chip away at the chaos, trying to set the countryside in order. It soon became evident that their plight was one of the greatest natural disasters ever to strike in the United States. As if the people had not suffered enough, they were subjected to a second flood in the southwest Oregon area undoing much of the restoration work which had been started. During this flood, the South Santiam River changed course. The avulsion threatened industries, highways, and railroads; and the new channel is by no means stable yet.

Even though the floods began over 3 months ago, the damage estimates are not complete. Much of the high country is under the heaviest snowpack in recent years, hampering much of the damage appraisal work on logging highways and mountain roads. And this same snowpack hangs like a sword's edge over the valley residents, threatening reflooding this spring.

EXTENT OF THE DAMAGE

According to the latest damage estimates, there have been \$95 million damage sustained by public improvements, and \$147 million to private property and improvements, totaling \$242 million in Oregon alone. The damage cannot merely be expressed in dollars and cents, but should be expressed also in terms of hardships and suffering, both economic and physical. The ravages of the floods



will be felt for a long period of time. The gravest effects will be felt from the loss of an adequate transportation net.

#### *Lumber*

Highways and bridges, railroads, forest access roads, and logging spur roads lost mean that logs will not get to sawmills and veneer plants, and lumber will not get to markets. The Fourth District of Oregon, which I represent, is the heaviest wood producing district in the country. Until the flow of wood products is restored, the economy of western Oregon will be crippled.

#### *Tourism*

Western Oregon has an active tourist and recreation trade during the summer months. Again, the loss of the transportation net will be reflected in greatly diminished incomes for recreation-based businesses. Public campgrounds which went downstream with the surging floods cannot accommodate campers this summer, and rafts of debris await burning before our lakes and reservoirs can be used.

#### *Agriculture*

Another large segment of the economy of the district is agriculture. Western Oregon has long been a leading producer of fruit. I have seen strawberry fields with normally produce  $8\frac{1}{2}$  tons of berries per acre buried under silt, and once-fertile bean fields so eroded and littered that they look like the landing of a logging operation in the middle of a gravel pit. There are orchards which were sheared by log jams. Many valley farms have lost most of the topsoil, taking these acres out of production for decades. Livestock, marooned by the rapidly rising waters, were finally swept downstream and their bodies entangled in the massive log jams, creating public health hazards.

#### *Municipalities*

Slides of mud, stone, water, and logs often cascaded down saturated mountain slopes, inundating roads and sweeping rail lines away. One such slide slammed into the village of Mapleton, crushing buildings and automobiles, but miraculously sparing human lives. The postmistress was swept through the post office, out a side door and deposited some 25 yards away. Many other communities suffered damage to sewers, disposal plants, roads, bridges, and public buildings.

#### *Revenues and expenses of Government*

Until the economy of the stricken area is restored, income will be down; there will be an upsurge in unemployment in the area. Unemployment and welfare costs will go up while revenue to all levels of government from income and property taxes will decline.

#### WHAT HAS BEEN DONE

The many agencies of the Federal Government involved should be complimented on the prompt manner in which they jumped in to aid the flood victims. Before the floodwaters were gone, the wheels were set in motion to get feed grains to stockmen, the Small Business Administration was setting up field offices and talking to bankers about processing disaster loans, the Bureau of Land Management and the Forest Service were beginning to reconstruct their access roads, the Corps of Engineers was checking stream bank damage and log jams and planning for their removal, the Office of Emergency Planning set its disaster relief program into motion. Several millions of dollars have already been made available under existing relief programs. And the American Red Cross is to be commended for its help, particularly in its assistance to indigent families.

#### UNSOLVED NEEDS

#### *Public*

So far as the public sector is concerned, the needs can be stated in two categories. First, the existing restoration programs need supplemental funds to continue. This is a problem for the Committee on Appropriations, and I will not go into this in detail except to say the need is urgent and prompt action by Congress and the administration is critically needed. Second, there are some increases in authorizations needed to properly handle the tremendous impact of the floods. These needs are properly addressed to this committee.

I support those portions of the emergency bill before you which would authorize the Federal Government to assume 100 percent of the cost of permanent repair of those highways on the Federal aid system including the Interstate.

This doesn't mean that the local units of government will not be contributing to the restoration of facilities because the damage to the local State, county, and city roads and bridges will run into millions of dollars and all that the Federal Government will pay for is the temporary repair necessary to get the road back into service. Bringing the roads to the pre-flood standard will tax the facilities of the local government to the breaking point especially in the face of reduced revenues resulting from this same disaster.

I would further recommend that the bill before this committee be amended to give the Army Corps of Engineers authority to make such modifications of previously authorized civil works projects in the affected areas adversely affected by these floods as the Corps finds necessary to meet conditions anticipated and not provided for at the time of authorization. Appropriate sums of money should also be authorized for appropriation.

#### *Private*

The really difficult problem lies in the field of relief to private citizens. Currently, the relief is limited to the various loan programs and a matching soil conservation program available to restore agriculture. The losses incurred will not be recouped; instead, the loan programs take the sting out of rebuilding homes and businesses. I think this points up the very real need of some form of natural disaster insurance program, a matter which I, as well as other Congressmen, have been investigating and an area of insurance not supplied by private carriers. I endorse such a program similar to that provided for crop insurance by the Department of Agriculture. Disaster follows disaster too rapidly to handle each on an ad hoc basis. The legislative process is too slow and funds are too hard to come by to adequately meet the need case by case.

There are very real problems in determining what should properly be done in the private sector. We must try to treat all citizens alike. With this as our guiding star, it becomes almost impossible to stop either in time, in extent of damage, in nature of damage or, indeed, with reference to the financial circumstances of the person sustaining the loss. Here again is pointed up the need for an insurance program where the assistance will be available as a matter of right rather than as Government relief.

Our only course is to almost arbitrarily decide that the scope and immediacy of the problem is such as to create a public problem out of the private loss. And to say that because we can not help all, that we must not help any is no answer. We look to the Alaskan earthquake and the legislation which ensued for a precedent to follow in the Northwest.

Certainly where the economy of a whole area and so many of its people are dependent on the lumber business, the public has an interest in restoring the road system necessary to get the logs to market. Many of the roads on which the next season's logs will ride to the mill have not yet been turned over to the Forest Service or the Bureau of Land Management and are still technically the responsibility of the logger who bought the timber. These roads may have been all built or in partial stages of construction. The cost—the additional cost of restoring the damage and completing the roads is, in many instances, beyond the financial capacity of the operator. Yet the roads must be repaired and completed.

There is thus justification for Federal help such as this bill authorizes the Secretary of Agriculture and the Forest Service to provide. It is significant that under the new timber sale contract which the Forest Service will soon begin to use that such relief could be provided as a matter of contractual right. If this authority is needed by the Forest Service, it is certainly needed by the Bureau of Land Management which owns so much of the public supply of timber on which so many of the mills and communities depend for a supply of raw material. I endorse such amendments as would include such authority in the BLM.

This legislation also includes provisions which authorize the FHA and the REA and the HHFA to compromise and release lending obligations which they hold on homes and farms and businesses, and increase the lending authority of the SBA to permit it to make 30-year loans. This I endorse. I suggest an amendment to give the same authority to the VA. And I look to the Alaskan bills and suggest the authorization of a fund to be made available for the purchase of private paper by the Office of Economic Opportunity or the appropriate agency so that similar relief can be afforded to those citizens who borrowed from private sources but whose losses are just as grievous as those in the Federal loan programs. The Alaskan bill provided such fund on a matching fund basis with



the State, and I am advised that there are constitutional problems which may be prohibiting the State of Alaska from participating so I do not recommend that in this instance. Nor do I approve of requiring all recipients of this aid to contribute their equity. Some fixed percentage of sharing of the loss I support, but I do not want to see thrift and frugality punished while those with large indebtedness get the lion's share of the assistance.

#### CONCLUSION

I would like to allay any doubts you might have about the local levels of government carrying their shares of the load of the restoration job. In Oregon, there are many miles of county and municipal roads, bridges, and other facilities which were destroyed. The Emergency Fund administered by the Office of Emergency Planning will assist on these roads only to the extent of making emergency repairs of a most temporary nature. Local government must then pick up the burden of bringing their roads from "passable" level up to the pre-flood standard. This work is going to tax local capabilities to the limit.

I don't think that the counties could bear any additional portion of the workload.

This then is the problem, what has been done and what remains to be done. Spring is upon us. The repairs must be completed quickly or the logging season will be gone and the loss irretrievable. Time is of the essence. I know that the Congress will respond to the problem as it has often in the past. We thank you for your sincere consideration of our problem.

Senator Moss. Congressman Al Ullman of Oregon has submitted a very fine statement urging speedy action. His remarks will be placed at this point in the record.

(The statement is as follows:)

#### STATEMENT OF HON. AL ULLMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Mr. Chairman, I am most appreciative of your efforts and those of the other members of this subcommittee and the full committee for considering means to restore flood damage roads in the flood disaster areas of the Northwest. Your sincere interest and concern with the pressing human problems created by the late December-January floods is in the best tradition of this committee. Time is of the essence in your consideration—over 3 months have elapsed since the first floodwater struck. The lack of long-range Federal action has made it most difficult for our people to restore the productive capability of the region.

The base of Oregon's economy is its natural resources. Communities, jobs, and our very livelihood is dependent upon the sustained harvest of these resources; their transportation, processing, and manufacture.

This flood, the worst in western history, hit us at this foundation by destroying roads and bridges in forest and rangelands, and between communities and points of harvest, processing, and marketing, and by doing severe damage to croplands, irrigation systems, livestock herds, and to the businesses and homes of the people of the region.

My purpose here today is not to lay before you reams of statistics and reports, some of these you already have. Rather it is my intention to highlight the situation so that a perspective for legislative action, particularly with regard to the road situation, may be achieved by this subcommittee.

#### THE FLOOD SITUATION

Extreme cold temperatures with heavy snowfall throughout the region occurred in mid-December. Weather conditions quickly reverted to temperatures well above freezing with accompanying heavy precipitation. Heavy flooding began which crested over Christmas week. High waters have continued in the region to this date with a second crest nearly approaching the first in magnitude occurring in late January and early February.

Out of major waterways in Oregon where the U.S. Geological Survey, Water Resources Division, recorded flood discharge, well over half exceeded the previous known flood or record; many by several hundred percent. Official engineering sources have indicated this flood to be of a magnitude to be expected only once in a thousand years.



The situation today as we meet here is still one of high waters in many areas preventing critical recovery efforts. The threat of a heavy wet snow pack in the mountains hangs over us and may yet bring more disaster this spring.

#### ACTIONS TAKEN

The President's declaration of Northwest flood areas as eligible for disaster assistance set in motion Federal, State, and local rescue and recovery forces which did much to reduce personal hardship and even greater destruction. On behalf of the people of Oregon a word of sincere thanks to the military and civil defense rescue forces, to the Red Cross, to the planning and direction skills of the Office of Emergency Planning, to the engineering skill and stamina of Corps of Engineers and the Bureau of Reclamation personnel, to the recovery programs of the Departments of Agriculture, Health, Education, and Welfare, Labor, and Interior, to the Small Business Administration, Housing and Home Finance Agency, and other agencies and people who have worked so hard in behalf of Oregon's people and economy.

These actions are of immeasurable importance but, in total perspective, they only get us started on the long and expensive road to full recovery.

The legislation referred to this subcommittee, S. 327 introduced by Senators Morse and Neuberger, is similar to my own bill H.R. 2115 introduced in the House. It seeks only to put the Northwest back on its own economic feet. We seek no preferential treatment—only assistance parallel to that given other natural disaster areas of the past year such as the Alaska earthquake, the Ohio Valley floods, the Pacific coast tidal wave, the Wichita Falls, Tex., and southeast Michigan tornadoes, the Montana-Idaho and eastern Nebraska floods, and hurricanes Cleo, Dora, and Hilda.

We do, however, suggest to you that the Federal response to these disasters and to the Northwest flood situation demands a perspective in magnitude. The Pacific Northwest floods of discussion here today caused greater havoc than any of these other disasters—in fact accounted for well over one-fourth of the total damage of all these disasters combined.

It is within this concept that I suggest the committee consider the provisions of S. 327.

#### ROAD REHABILITATION

First, in section 2(a) amendment to the Federal-Aid Highway Act (23 United States Code 125) is offered with reference to the expenditure of emergency relief funds so that the Federal share of system highway and road repair shall be 100 percent of the cost of such work and that matching fund limitations also be waived. This is necessary, in my opinion, for two reasons. One, because total highways and road damages to the Federal-aid system are estimated at \$135 million, and the county and State governments, already burdened with millions of dollars in repairs to roads and facilities not included in the Federal-aid system, simply cannot afford this added massive effort under existing Federal-State cost sharing formula. Two, because every effort must be made to expedite the rate of road repair work, estimated to require at least 8 to 12 months of concerted effort to complete.

Section 2(c) of the bill authorizes an additional \$200 million to be authorized for the Bureau of Public Roads emergency fund for this purpose.

Second, in section 2(b) of the bill, it is proposed to waive the contractual requirements that national forest users restore flood damaged roads, constructed under terms of timber sale contracts which have not yet been accepted by the Secretary of Agriculture. It is further proposed that Department of Agriculture funds be made available to reconstruct these flood damaged roads either directly or in cooperation with timber purchasers. It must be realized that the economy of the Northwest is dependent in large measure upon forest industries, and it is vital to our economy that our road rebuilding requirement be met thoroughly and expeditiously. This same provision should be broadened to include forest operators on lands administered by the Secretary of the Interior so that the revested O. & C. lands and the public domain are similarly covered.

I have just seen the proposals of the Secretaries of Agriculture and the Interior, proposals that appear to have been written by Bureau of the Budget personnel totally unfamiliar with natural resource economics or policies. This formula, according to my information, was hastily drawn the evening of March 30—3 months after the flood disaster and on the eve of testimony before this committee.

Mr. Chairman, I hope that you and members of the subcommittee will give this formula a most critical review, and that you will consider the following facts.

These roads are built to high standards for the primary benefit of the Federal Government—not the contractor. At the termination of the contract the Federal Government has a well-constructed road which aids forest administration and permits public access for recreation and other uses. I'm not objecting to this approach, the roads need building. I do however strongly protest the adoption of a formula which penalizes timber contractors, by making them responsible for the destruction by natural disaster of roads built essentially for public purposes. Anyone knowledgeable with logging operations knows that truck trails of far less expense to the contractor would be sufficient for timber removal alone.

Since these roads, in fact, do enhance other public purposes, their rehabilitation from flood or other natural disaster should, in all fairness, be borne by the Government. At the very most the contractor could be expected to pay the 15-percent contingency, but certainly no more.

Third, in section 2(d) it is proposed to further amend the application of the emergency road fund provision of sections 120 and 125 of the Federal-aid to Highways Act to provide emergency funds to all of the major Federal land managing agencies. As you know, the pattern of Federal land ownership throughout the West is such that resource utilization, and community and rural access, is dependent upon thousands of miles of federally owned and maintained roads and bridges.

Together the Departments of Agriculture and the Interior have suffered an estimated \$40 million of damage to roads related facilities. A way must be found for the Federal Establishment itself, in such emergencies, to rapidly repair roads destroyed in natural disaster. The act already authorizes these funds for national parks, national forests, and Indian reservations—the language of S. 327 would only add the O. & C. lands, public domain, and wildlife refuge areas not now covered.

The problem here is obvious. It has been over 3 months since the Northwest floods. Emergency road repairs have yet to be made, even on the most accessible areas because the Bureau of the Budget has delayed requesting supplemental appropriations from the Congress. As I've said, western economy is inextricably bound with the Federal lands and their roads and facilities. This kind of delay must be corrected for the future. This is all that is intended by section 2(d) of this bill, to provide a means to expedite this repair when future natural disasters occur.

In this respect the administration's report does not indicate whether this proposal is worthy or not, they sidestep that issue, and only indicate to the Congress that this relief legislation is not an appropriate vehicle to correct an oversight in the law pertinent to the emergency fund provisions of the Federal-Aid Highway Act. Nevertheless, Mr. Chairman, it is a serious oversight and should be corrected by this legislation if not by the early enactment of a special bill.

I understand that the remaining provisions of S. 327 will be considered by other committees having jurisdiction over the particular areas of concern, so I will not summarize or comment on those provisions at this time, but will conclude with two brief comments.

First, I am greatly disappointed with the reports of Federal agencies on this proposed legislation. I feel that the magnitude of this once-in-a-century flood is not appreciated. Again let me point out that the damage in this flood not only exceeded the Alaska earthquake disaster but accounted for over one-fourth of all the damage of 10 major 1964 disasters. I cannot envision the United States delaying relief response to a disaster of this magnitude in any far corner of the world—yet at home it appears to be business as usual.

Finally, let me say that I appreciate the concern of my colleagues in the Congress for the damages and suffering brought to my part of the country. I am sure that despite negative Bureau of the Budget reaction to the needs of the people of the Northwest that this committee will be cognizant of the human, social, and economic values a stake in the recovery of the Northwest and act on this measure with compassion and dispatch.

Thank you, Mr. Chairman.

Senator Moss. Our next witness will be Mr. Chris L. Wheeler, State Engineer of the State of Oregon, representing Governor Hatfield.

We are glad to have you, Mr. Wheeler.



STATEMENT OF CHRIS L. WHEELER, STATE ENGINEER OF THE  
STATE OF OREGON, REPRESENTING HON. MARK O. HATFIELD,  
GOVERNOR OF OREGON

Mr. WHEELER. Mr. Chairman, members of the committee, my name is Chris L. Wheeler. I am the State Engineer of Oregon and chairman of the Governor's special task force on stream clearance. I am representing Governor Hatfield here today. My purpose in appearing before this committee today is to strongly support and urge prompt enactment of S. 327 introduced on January 7, 1965, by your colleagues, Oregon's Senators Morse and Neuberger.

Oregon and the Northwest deeply appreciate the dedicated service of the employees of Federal agencies involved and the assistance that their programs have given.

The Office of Emergency Planning under Public Law 875, the Corps of Engineers under Public Law 99 and the Bureau of Public Roads have all been a godsend in restoration of many facilities. However, we find ourselves today in need of Federal action outside the regular programs. In particular, we need action on facilities under Federal ownership, the largest landowner in Oregon.

To be blunt, we need immediate action. From the emergency command post set up during the storm to date, Governor Hatfield has provided strong effective leadership at the State level. In addition to the task force on stream clearance which I head, several other committees such as emergency forest access, damage assessment, assistance to applicants for Small Business Administration and Farmers Home Administration loans have been set up to cope with developing problems.

We have suffered two devastating floods this past winter. Meteorologically speaking, the Christmas flood was one intense, warm rain-storm with a high freezing level that wrought havoc over the entire Northwest area.

Gentlemen, this is an area extending from about 200 miles south into California, across all of Oregon which is about 300 miles, then 50 miles into Washington and perhaps 50 to 75 miles into Idaho. Our December precipitation ranged over 17 inches. It all went off at one time during the flood.

It occurred in combination with previous weather conditions and created peak flows that exceeded alltime record discharges in many of the streams of the State. The preceding conditions, namely, wet snow on top of frozen ground on the lower elevations occur nearly every year in western Oregon and sometimes several times a year. Since we do not normally get this combination of conditions and weather, people become complacent and feel that it won't happen again.

You have heard engineers and others speak of a 10-year flood, 50-year flood, 100-year flood, or other such designation. These are terms of convenience and do not necessarily mean that the floods which we have just experienced, and during which many streams exceeded their 100-year classification, will not occur again for the next 100 or 200 years. Never before in our history have we experienced floods of this category on both sides of the Cascade Mountains at the same time.

Literally speaking, our whole State was experiencing a major, if not record, flood in every stream and minor tributary. This unusual occurrence of flooding on both sides of our climatic divide actually places the probability near to once in 1,000 years.

The Columbia River, with its tremendous capabilities for flood damage, as well as resource development, had for the first time a major flood on the lower river created by discharge from lower tributaries. With 500,000 cubic feet per second measured at Bonneville Dam and an estimated 450,000 cubic feet per second from the Willamette system, the Columbia below Vancouver exceeded 950,000 cubic feet per second.

In the well-known flood of 1948, only 30,000 cubic feet per second was contributed by the Willamette system to a peak flow of 1,010,000 cubic feet per second.

In the Christmas flood, all but five of the nearly 300 streams gaging stations reached flood stage and over 53 percent equaled or exceeded previous floods of record. We had one stream for which we had a 35-year record. The flow on that stream was five times the previous flood of record on that stream. In January, I advised the Subcommittee on Flood Control of the House Public Works Committee that we could have further major floods from the relatively heavy snow-pack that remained, or that was renewed after the flood.

Heavy rains over the north half of Oregon during the last week of January did bring major floods throughout this area. In fact, on the Walla Walla, Umatilla and Grande Ronde Rivers of northeastern Oregon and the Wilson, Siletz and several smaller streams on the coast, flood crests exceeded those of the Christmas flood.

Where direct washouts closed highways at Christmas, slides and mudflows were the password of the January flood. The only major dam lost in either was the Cazadero diversion dam for Faraday hydroelectric plant of Portland General Electric Co. on the Clackamas River.

A rock-filled timber crib structure 60 feet high, it was damaged at Christmas and was being investigated for replacement when it totally failed in the January flood, with flows less than one-half the Christmas peak. This dam will be replaced with a concrete arch as soon as river flows permit regular construction.

Losses were severe and in some instances, such as the John Day River in east central Oregon, they nearly equaled the earlier flood with only half as much water. Shoaling, log jams, debris pileup, and eroded banks all contributed to the accelerated losses. Lack of access or ability to fully assess losses and take corrective steps makes it impractical, if not impossible, in many cases to delineate between the two. Combined losses of the two floods are in the order of \$295 million and I would point out that some of the estimates are on the conservative side.

Soil loss from overbank flow and erosion cannot be precisely determined and many years of intensive work will be required to restore the soil to its former productivity. There is no answer to the farmer in the American bottom area south of Salem who spent 20 years bringing up a walnut orchard into full production when it is now almost totally destroyed; overbank erosion and debris deposits cover the entire farm.



I would also like to emphasize that we are not out of the woods yet on many eastern Oregon streams. These streams ordinarily receive their high water from spring snowmelt and with 105 to 153 percent of average water content in the snowpacks as of March 1, the potential exists.

Oregon is divided by the Cascade Mountains into two entirely separate climatic conditions. The variety of problems which must be met is thereby multiplied by two. The Klamath River Basin in south central Oregon was not so dramatically affected during the flood itself due to storage in Upper Klamath Lake, yet its damages have been tremendous. Today, nearly 3 months after the major flood, we are just draining approximately 22,500 acres of valuable farmland that has been inundated since Christmas.

Little, if any, production will be obtained this year from this land that was reclaimed from the marshes and whose dikes are now inundated or breached. Actually, we haven't been able to determine the damage to the dikes because they have been under water.

Above average runoff for January and February, together with inadequate capacity in the river channel, has prevented any action toward redraining the land. Pacific Power & Light Co., which has plants on the river, just last week completed construction of an emergency channel which is providing some relief.

Over 350,000 acre-feet passed through the already full Upper Klamath Lake during February and 210,000 acre-feet during March, with no place to go except maintain the flooded conditions on the river below. Conditions were further complicated by the need for drainage from the Lost River area through the Lost River diversion canal and the Straits unit from Lower Klamath Lake.

We can only take heart from this runoff in that it dropped snow water content of 150 percent of average on February 1 to approximately 110 percent of average on March 1, thereby lowering the chances of damaging runoff later this spring. Similar weather conditions have prevailed throughout March. We don't have our April 1 figures on snow. They have improved slightly. March has been the best month we have had in many years for road construction and for lack of precipitation.

But we are still faced with a potential threat. The climate and resulting pattern of snowmelt will determine whether we have a moderate sustained yield or a fast flood and no one can accurately predict it at this time.

One of the main functions of the Task Force on Stream Clearance has been to expedite the emergency repairs to the channels of the John Day, Walla Walla, and Umatilla Rivers in expectation of the spring runoff. This is related to the road problem.

With the short time limitation, only emergency clearing and plugging of channel breaks has been accomplished. These are not sufficient to withstand sustained high flows. To date, we have identified over 1,840 storm-caused stream blockages or destroyed channels that pose serious threats. They must be corrected before the next flood.

This astounding figure of 1,840 does not include any blockages on Federal lands. The U.S. Forest Service has estimated \$1,384,000 required and the Bureau of Land Management, \$245,000, required to remove those stream blockages posing a threat to other resources or facilities with the next high water.

Of equally pressing need for these agencies is restoration of forest access roads estimated to cost \$14 million for the Forest Service and \$15-\$17 million for the Bureau of Land Management.

Governor Hatfield's first concern, as with us all, is to return those facilities to service that are required to keep our citizens employed. Forest resource, a mainstay of our economy, is facing a very serious threat due to low log inventories even though excellent March weather improved the road situation.

Private landowners have opened roads on their property and State and county governments have gone all out and provided two-way traffic on all strategically located access roads. I might point out that contracts now being let by the State highway for reconstruction provides for only 5 percent token payment by Bureau of Public Roads.

The State legislature has enacted Senate bill 115 in the present session which would provide essentially the same type of relief to timber-purchaser-built roads on State lands that is being used or would be provided by S. 327.

Many of our smaller mills operate on federally owned timberlands and unless drastic action is taken their continued operation will hang on the weather and they will not be able to build up adequate inventories. Appropriations to these agencies are not even beginning to be adequate for the job.

The worth of the investment in flood control was clearly shown with \$572 million worth of damage prevented by Corps of Engineer projects in the Willamette Basin. This exceeds the total cost of all facilities to date. It is easy to speak of these figures and dramatic effects, but we should also note the smaller ones served their worth.

We also have reservoirs that have been built for purposes other than flood control that also served as an important flood control feature during the storm.

Five Public Law 566 projects under construction prevented damages equal to their invested cost, even though none are completed to date. Bureau of Reclamation reservoirs projects include flood control benefits, where applicable. However, many constructed several years ago in eastern Oregon did not include flood control as a benefit or write off any costs for that purpose.

It is significant that they did provide thousands of acre-feet of flood control storage, along with several private reservoirs, and this contribution should not be overlooked. Some estimates of damage prevention by Bureau project reservoirs include Wickiup, Crane Prairie, and Crescent Lake on the Deschutes River, \$1,290,000; Malheur River projects, \$2,010,000; and the Owyhee project, \$1,144,000; and McKay Reservoir on a tributary of the Umatilla River, \$285,000.

The experience has written new chapters in our flood records, yet we cannot afford to sit still. We must look to the future and I will call your attention to four projects before Congress pending authorization that would have more than paid their flood control investment had they been constructed:

1. Grande Ronde River and Catherine Creek project, Union County, Oreg., recommended by the Corps of Engineers;

2. Tualatin project, Washington County, Oreg., recommended by the Bureau of Reclamation;



3. Merlin project, Josephine County, Oreg., recommended by the Bureau of Reclamation;

4. Willow Creek project, Morrow County, Oreg., recommended by the Corps of Engineers.

Other corps' projects needing appropriations for planning and submission of reports at the earliest possible dates are:

1. Thomas Creek, Linn County, Oreg.

2. The authorized Holley project, Calapooia River, Linn County, Oreg. This report needs restudy to determine justification for revision of storage and downstream channel capacities.

Additional funds for planning or construction are also desperately needed for the following Corps projects:

1. Lost Creek, Elk Creek, and Applegate projects, Jackson County, Oreg.—to be constructed.

2. Gate Creek and Blue River on McKenzie River tributaries, Lane County, Oreg.—to be constructed.

3. Fall Creek, Lane County, Oreg.—under construction.

4. Green Peter, Foster, South Santiam River, Linn County, Oreg.—under construction.

5. Cascadia project, South Santiam River, Oreg.—to be constructed.

Other streams that need special consideration from flood control features are the Clackamas River and the Molalla River, due to their proximity to the Portland urban area.

I have listed several needed steps for the future and I do not want to miss floodplain identification. The Corps program in Oregon is woefully slow. The value of these studies for local government use in controlling development on the floodplains is tremendous.

Their assistance in alleviating suffering to residents of the areas is incalculable. Their development beforehand is far superior to maps prepared out of thin air during the early stages of the flood.

There are other specific points which need immediate congressional action. S. 327 should have been acted on long ago. I referred to this need earlier in discussing the forest access road problem. After all, the Federal Government owns over 50 percent of the land area in Oregon and in this case, it needs to take the responsible proprietary landowner's position and restore those facilities needed to market the product. The industry spends \$35 million a year building these roads as a part of the timber sales contract and it would put most out of business if they have to build the same road twice.

We know that appropriations will be made eventually to rebuild the access roads; therefore we cannot, in good conscience, put hundreds of men out of work by unnecessary delay. In many cases, these roads also form part of the fire protection network and will be vital in the event of a bad fire season, which is a probability.

The next most pressing problem is adequate funding for the flood emergency program of the Agricultural Stabilization and Conservation Service. It appears that about \$12 million is needed for the Federal Government portion of the eligible cost-sharing projects and only 2.1 million has been appropriated. In our investigation of stream clearance and bank erosion problems, it appears that most will be eligible for only this type of assistance. Needless to say, planting season is almost upon us and this work should already have been done.

The massive amounts of debris, silt and erosion cuts covering our valuable farmlands simply prevent farming until it is taken care of.

It is difficult to understand why Federal programs instituted for emergency assistance and set up on that basis are so slow to act. Three months after the flood, much of the repair work, aided by the emergency programs, is still to be started. While I may understand this delay, the ordinary citizen does not. Slow action on his neighbor's place, coupled with less than complete understanding of what is available, has disheartened many.

A farmer seeking assistance from Agricultural Stabilization and Conservation Service makes his application, but is usually told that assistance will be available if appropriations are forthcoming. The farmer wants to do a complete repair job, but if no assistance is available, he may have to shortchange it and time is running out.

I would also like to call your attention to the damaged stream-gaging facilities, totaling \$208,000, in Oregon. The records to be obtained are essential in evaluating relative flood effects and to plan future control works. In order to adequately plan for future water resource development, we need more stream-gaging facilities.

Today we have less gaging capability than 90 days ago, rather than an increase in capability. Here again, the Federal Government is in a proprietary ownership position with part to full ownership of the damaged or destroyed stations.

Last but not least, I would again remind you of the need for adequate remote reporting devices for use by the flood forecasters of the U.S. Weather Bureau. River stage forecasts made by the Weather Bureau during both floods were very accurate under the circumstances and were used to minimize losses in many areas.

These forecasts could have been improved or made earlier if additional automatic data installations had been available. The upper Willamette with its normal flood pattern is fairly well instrumented. The Clackamas and Sandy Rivers ordinarily have a shorter time of concentration and do not contribute to the major Willamette floods. These streams, the coast streams and all of eastern Oregon, are devoid of telemarks or other types of remote reporting instruments.

Since I cooperate with the Weather Bureau and represent the State in this field, I know all too well how quickly this service is forgotten after the storm is past. We cannot hope to totally eliminate all flooding due to physical features so we should provide information to minimize damages from the floods by timely warnings.

The very minimum expenditure for additional instrumentations would bring the greatest dividends in the use of improved forecasts. Management of the control works, use of temporary measures, orderly evacuation of people and goods and a host of uses by local entities are to be benefited. I would urge you to give careful and favorable consideration to the attached list of needed additions to the reporting network.

I am advised that the appropriation requests referred to have been transmitted to the Bureau of the Budget by the respective agencies and those relating to the U.S. Geological Survey and the Agricultural Stabilization and Conservation Service have been recommended to Congress. I hope that they will be given immediate consideration.

Thank you for the opportunity to appear before you.



MR. CHAIRMAN, I think I will conclude with that which again is a plea that the State is not committed on the exact specific language of the bill. We feel that there are sure to be some amendments that can be worked out, the exact language, by the staff of the committee and the delegation from Oregon that would serve the purpose that we need.

But we do wish to urge a very prompt enactment on the principle involved in S. 327. If there are any questions I will be glad to answer them. I certainly want to thank the committee for their consideration in allowing me to appear here today.

Senator Moss. Thank you, very much, Mr. Wheeler. Has the State of Oregon established an emergency fund which they are using on some of this work now?

Mr. WHEELER. On our forest access roads, rather than establishing an emergency fund, we are taking care of it by allowing credit to the timber purchaser so that he does not have to pay the full timber price. We are picking up things in that manner. We have established this type of legislation in practically all instances that we are dealing with on the flood program rather than setting up an emergency fund.

Senator Moss. Credit, extended by the State, by amending the contracts as it were, to allow purchasers credit for work that they will do?

Mr. WHEELER. That is correct. I might point out that this is similar to what I understand will be done in future Forest Service timber purchase contracts that they will have in the future. But the State legislature provided that it would be retroactive as well as future.

Senator Moss. You found that some of your smaller operators just don't have the capital however to restore the roads? Have you run into that?

Mr. WHEELER. We haven't run into that problem as yet. If we do we will take what action we have to, to take care of it.

Senator Moss. Thank you, Mr. Wheeler.

Senator Metcalf?

Senator METCALF. No questions.

Senator Moss. Senator Bayh?

Senator BAYH. No questions.

Senator Moss. Senator Murphy?

Senator MURPHY. No questions.

Senator Moss. Thank you very much. We appreciate your appearance on behalf of the Governor.

Mr. WHEELER. Thank you.

Senator MURPHY. Mr. Chairman, I have a letter that I would like to put in the record. I have had a great deal of mail from California which conforms with this statement of the county engineer and road commissioner of Sierra County.

(The letter reads as follows:)

SIERRA COUNTY,  
Downieville, Calif., March 5, 1965.

Senator GEORGE MURPHY,  
Congress of the United States,  
U.S. Senate, Washington, D.C.

DEAR SENATOR: I am enclosing Sierra County Resolution 65-13, passed by the board of supervisors on March 1, 1965.

The purpose of this resolution is to obtain some action at the Federal level regarding storm damage to county roads in the forest development system. To date, we have nothing official from the Federal agencies that may be involved.

As you know, the severe storms of December 1964 created havoc to most of the northern California counties. While our damage was not as extensive as

counties such as Siskiyou and Mendocino, in relation to annual road funds, it represents approximately 75 percent of our income.

As a result of storm damage, Governor Brown promptly declared a disaster area and on December 23, 1964, President Johnson made his major disaster declaration. The Office of Emergency Planning, the State disaster office, the Division of Highways and the Bureau of Public Roads were prompt in lending their assistance in preparing storm damage applications under Public Law 875.

After our Public Law 875 application had been submitted on February 5, 1965, it became known that many of our roads were in the forest development system and as long as they remained in this system, they were not eligible for Public Law 875 moneys. On February 11, 1965, I met with the Tahoe National Forest engineer to discuss the roads in the forest development system and whether we desired to drop any county roads from this system. I decided that it was in our best interests to keep the system unchanged until we received information as to the methods of application under United States Code, title 23: Highways.

We continued our normal inquiries of the area offices of the Bureau of Public Roads, the Division of Highways, and the U.S. Forest Service. They were unable to obtain a decision concerning these roads. Unofficial word was that the regional office of the U.S. Forest Service would handle storm damage applications on forest development roads; however, work already done would not be covered and moneys would be out of regular Forest Service funds, which is not in accordance with sections 125 and 120 of title 23.

We would like to see an early solution to this problem. It is possible that if a meeting were held with all the interested parties in attendance, a proper and equitable method of determining whether applications should be under Public Law 875 or title 23 could be made.

The last, and most important problem is the one of money being made available for use under Public Law 875 or title 23. It is therefore requested that the Congress appropriate the necessary moneys needed under Public Law 875 and section 125 of title 23 of the United States Code.

I am attaching, in addition to the resolution, copies of letters sent to the U.S. Forest Service. I will send copies of future correspondence relating to this subject.

Your help in this urgent matter will certainly be appreciated.

Sincerely yours,

V. H. HIDER,

*County Engineer and Road Commissioner.*

Attachment.

#### RESOLUTION 65-13

Whereas Sierra County has suffered severe flood damage to its highways, bridges, and roads in the recent storms throughout northern California; and

Whereas Sierra County has been proclaimed a disaster area by the Governor of the State of California, and is also an area covered by the major disaster declaration of the President of the United States; and

Whereas a large portion of the roadways within Sierra County are in the forest development system; and

Whereas sections 125 and 120(f) of title 23 of the United States Code, provide for disaster funds of this type and for 100 percent of the cost thereof as said damage relates to roadways within the forest development system; and

Whereas there would appear to be a lack of coordination or cooperation between the respective State and Federal agencies whose responsibility it is to make a decision relative to providing emergency funds for road repairs, with particular reference to the Federal Highway Act; and

Whereas both Federal and State disaster proclamations require that all State and Federal agencies involved give timely cooperation and assistance under these emergency acts: Now, therefore, be it

*Resolved*, That the appropriate Federal agencies be requested to furnish prompt assistance in processing proper project applications under the Federal Highway Act, etc., and that the Congress and Senate of the United States forthwith appropriate the necessary moneys to carry out the restoration of said roadways which are within the Federal aid secondary system and the forest development system.

The clerk is directed to send certified copies of the within resolution to Senators Kuchel and Murphy, Congressman Johnson, State Senator Paul Lunardi, and Assemblywoman Pauline Davis.



Senator Moss. Thank you, Senator. We are glad to have that letter as part of the record in connection with the problem we must consider.

We are to call next on Mr. Hagenstein, who is the executive vice president of the Industrial Forestry Association.

Mr. Hagenstein could not remain this afternoon, so to be sure we get your testimony, we will have you on now.

**STATEMENT OF W. B. HAGENSTEIN, EXECUTIVE VICE PRESIDENT,  
INDUSTRIAL FORESTRY ASSOCIATION**

Mr. HAGENSTEIN. Thank you very much, Mr. Chairman; I appreciate your courtesy in doing this, because I have to go home this afternoon.

Mr. Chairman and members of the committee, I am W. D. Hagenstein, executive vice president, Industrial Forestry Association, Portland, Oreg. I am a professional forester and a registered professional engineer in Washington and Oregon.

Industrial Forestry Association represents 105 companies and individuals in western Oregon and western Washington engaged in the growing and harvesting of timber and manufacturing lumber, plywood, pulp and paper, hard and soft boards, shingles, and shakes, poles and piling, furniture, doors, and other forest products.

If it is made out of wood, we make it.

Our members operate 380 plants and more than 200 logging operations. They employ more than 80,000 people, with an annual payroll exceeding \$400 million. Some of our members get their raw materials from their own tree farms, others depend on Federal and State timber, most on a combination thereof.

Our purpose in appearing before your committee today is to support, vigorously, prompt enactment of S. 327, introduced on January 7 by Oregon's Senators Morse and Neuberger. This bill is designed to authorize emergency repair of flood damaged facilities in Oregon, Washington, California, and Idaho.

Our particular concern is with sections 2(b) and 2(d) of S. 327. They would authorize the Secretaries of Agriculture and Interior to use authorizations or funds available to them to restore or repair roads which were in the process of construction as part of timber purchase contracts with the Federal Government which were destroyed or significantly damaged by the December 1964, or January 1965, floods.

They give the Secretaries the administrative discretion to make these road repairs either directly or cooperatively with the Government's timber purchasers. The bill does not seek renegotiation of existing timber sale contracts. It merely recognizes that the Government has inherent risks as a landowner, just like a private landowner. When an act of God damages a landowner's property, he sustains the losses.

At this point I would like to make a suggestion. Senator Cooper indicated this morning he would want to ask Senator Morse some questions regarding private roads. I want to make it clear, Mr. Chairman, in this legislation I believe there is no intent, and there is certainly no intent on the part of the people in the private sector

interested in this bill, to seek relief from the Federal Government from damage sustained on their own property.

There may be exceptions, and I know places in our region where this might apply. The private owner is through using the road. He would not be back there until the next rotation of timber is ready for harvest.

In the event the private owner does not repair the roads, then the Government may be hamstrung in operating its own properties behind it.

This is a rather complex thing, as you gentlemen know, on this subcommittee, because you have dealt with this subject in the past.

A timber operator who purchases timber from the Government is often required, as part of his contract, to build a road on the Government land in accordance with specifications. The construction cost of such road is allowed for in the appraisal of the timber by the agency selling it for the Government.

The operator recognizes, under existing timber sale contract forms, that he has responsibility for repair of normal winter damage, and does it at his own expense.

In the present instance, however, we are concerned with extraordinary damage caused by the catastrophic floods sustained in the three Pacific Coast States and Idaho during December 1964, and January 1965.

To give you some idea of the abnormality of the weather conditions which caused our recent damaging floods, let me quote from a publication of the U.S. Weather Bureau entitled "Pacific Northwest Monthly Precipitation and Temperature" for December 1964:

December 1964 will long be remembered in Oregon and southern Idaho for the unprecedented winter rainfall which fell during the period December 19-27 \* \* \*. Precipitation for the month was 200 percent or more of average, southeast of a line extending from Brookings, Oreg., Yakima, Wash., Spokane, Wash., Kalispell, Mont. Over much of this area the precipitation for the December just past far exceeded that for any previous December \* \* \*. The series of storms moving inland from the Southwest during the period December 19-27 brought abnormally heavy precipitation over Oregon and southern Idaho. Prior to the beginning of the storm, the ground was frozen and snow covered over nearly all areas of the Pacific Northwest. This combination of warm rain falling on frozen ground and snow resulted in the greatest winter flood on record in western Oregon and in a number of other basins east of the Cascade Range \* \* \*.

To illustrate what this abnormal precipitation means in terms of runoff, may I quote from a publication of the U.S. Geological Survey entitled "Pacific Northwest Water Resources Summary," December 1964:

Runoff in December ranged from high to record high for December over southern Washington, all of Oregon, nearly all of Idaho \* \* \*. Floods of record or near-record proportions occurred in all of this area \* \* \* in the last 10 days of the month. Eighteen deaths in Oregon and two in Idaho were attributed to this flood. Property damage amounted to \$574 million in Oregon, Idaho, northern California, and Washington. Runoff was low in only a few rivers in the region.

Of the area in which I work, I am most intimately familiar with the damage caused to the forest access roads by the floods in Oregon. It is the part I want to tell you about, and to demonstrate why prompt enactment of S. 327 is essential if we are to get flooded-out



industrial workers back on the job in the shortest possible time, and to allow the resumption of normal springtime logging to prevent an otherwise inevitable shortage of logs.

The forest industry of Oregon employs 80,000 people with an annual payroll of nearly \$470 million. Our industry directly generates 60 percent of the State's economy.

The Federal Government owns two-thirds of the timber in Oregon, and our industry is the Government's only customer for its annual timber harvest under sustained yield forestry.

As part of our industry's timber purchase contracts with the Government, in Oregon alone we build roads worth \$27 million annually on the national forests, and \$9 million on the lands administered by the Bureau of Land Management.

When last winter's floods hit, hundreds of Government timber purchasers had roads in all stages of construction. Slides, washouts, and high water damaged or destroyed hundreds of miles of such roads, thousands of culverts, hundreds of bridges, and removed surfacing everywhere.

Total damage is not known accurately as yet, because many of the flood areas are still covered with heavy snow. I would estimate such damage at between \$5 to \$7 million in Oregon alone.

One area that I went to look at, despite advancing age—I was 50 years old this year—I had not been in in several years. I went on snowshoes 20 miles to look at it.

As Senator Murphy indicated from his own knowledge in his own State, it is unbelievable as to the terribly destructive power of this flood we had.

Places, for example, where full bench roads were carved out of solid rock, where the river came against them, and took them completely out, and you have a sheer canyon wall left now. It is going to be awfully difficult to replace them.

Other places were a \$200,000 or \$300,000 bridge, where there is no river under it any more because it moved some distance away.

Ever since the flood, our State government, with some assistance from the Federal Government through the Bureau of Public Roads, and our county governments, with help from the State and Federal Governments, and private land and road owners, have been diligently working to restore access on the roads under their jurisdiction.

In the first week of January, our Governor directed the State forester to organize a forest emergency access committee, which held its first meeting on January 7. This witness was designated one of the forest industry representatives on the committee.

This committee adopted a policy and goal of restoration of all arterial highways important to long hauling by the beginning of the normal spring logging season.

In order to get the best advice on which roads needed repair on a priority basis, the forest emergency access committee sponsored meetings throughout the State between January 13 and January 22. Over 750 public officials, forest industry operators, and others concerned in the State's economy participated in these meetings, the deliberations of which greatly assisted the State and county highway departments in applying their road repair efforts on a first-things-first basis.

At the same time, many Government timber purchasers were advised to repair those damaged roads which they had built and paid for under their timber purchase contracts, with the hope that Congress would promptly enact legislation to help out in such restoration, in recognition of the Government's responsibility as a landowner, and that the operator's investment had been wiped out by an act of God.

Other Federal timber purchasers went ahead anyway and repaired such roads, because they had to have access for hauling logs or shut down their plants and lay off their employees.

Certainly Federal timber purchasers who build roads as part of their contracts should be in the same position as Government highway contractors who are not liable for damage to the roads they build for the Government when such damage is caused by acts of God or other things beyond their control.

That is the best argument we know for prompt passage of legislation embodying the "proprietary principle" in the case of abnormal storm or other damage to roads built by timber purchasers for the Government. This is the substance of section 2(b) of S. 327.

Now we are at the beginning of our spring logging season. At this writing the hundreds of operators depending on Federal timber in Oregon, who have sustained severe damage to the hundreds of roads they have built for the Government, do not yet know what the score is.

They have been waiting patiently for 3 months to learn whether catastrophic flood damage losses are entirely their responsibility, or whether the Government, as the landowner and proprietor, is going to assume all or some share of the burden.

Obviously, if a man has built a road once, and spent his money for doing it, he does not want to duplicate that cost to restore a facility wiped out by an act of God.

Just let me give a few cases to illustrate the point.

A timber sale on the Klamath National Forest in California required 3.82 miles of road, at an estimated cost of \$234,697. At the time of the storm, 95 percent of the road was completed; 3.6 miles of the road were damaged.

One bridge, which cost \$30,000, was taken out, and the drainage system seriously impaired by slides and washouts. The estimated cost of repair is \$102,200, and the Forest Service notes in their report on this that the operator cannot handle financing of the repair.

Obviously, he has built this on borrowed money. If he had to go out and rebuild that whole facility, and borrow the money again, in the case of the typical operator who is on the average a small operator, it would kill him.

Another case on the Shasta-Trinity National Forest in California involved 12.46 miles of road as part of a timber sale contract, with an estimated cost of \$102,900.

Incidentally, Senator Murphy, I flew over this area yesterday in my trip here, and I would like to say you did not exaggerate the horror that came down that canyon.

At the time of the flood, the road was 80 percent completed, and 10 miles of it was damaged with slides, washouts, and damaged drainage system. Estimated cost of repair is \$134,000, or \$31,100 more than original construction cost.



Another case is on the Six Rivers National Forest in California, where a timber sale contract required 3.3 miles of road at an estimated cost of \$163,236. At the time of the storm, 90 percent of the road was completed. Two and forty-eight one-hundredths miles of the road were damaged with culverts gone, surfacing gone, fills washed out, and slides everywhere. Estimated cost of repair, \$20,000.

Another example is on the Umpqua National Forest in Oregon, where a timber sale contract required 5.9 miles of road at an estimated cost of \$278,233. At the time of the storm, the road was 80 percent completed, and 3 miles of the road were damaged, with mostly rutting of the grade and impairment of the drainage system due to washouts and slides. Estimated cost of repair, \$15,000.

A timber sale on the Willamette National Forest required 5.75 miles of road, with an estimated cost of \$263,961. At the time of the storm, 80 percent of the road was completed. Fills and large culverts were washed out, and there were numerous large slides. Estimated cost of repair, \$12,500.

The last example I would like to present is a sale on the Mount Hood National Forest in Oregon, that had three road jobs as part of it. The first included 2.8 miles of road, with an estimated cost of \$21,139. The road was 90 percent completed at the time of the storm, and because of the culverts and fills washed out, it will be necessary to replace with a bridge at an estimated cost of \$78,000.

Nature has changed the topographic structure of this area, and it will be necessary to have more extensive building than originally.

Another road, over 0.6 mile on this sale, estimated to cost \$16,591, was 90 percent completed, and due to gullying and erosion of small fills, it will require \$2,000 to repair.

The last road as part of this contract was 5.5 miles, with an estimated cost of \$211,169. At the time of the storm it was 70 percent completed, and due to major slides and fills lost on the 4 miles of this road which were damaged, it is estimated the cost of repairs will be \$50,000.

It is obvious from the above examples that many operators who sustained damage will be unduly burdened if they are required to foot the bill for these catastrophic losses caused by the floods.

What does this mean to our economy? In our State, where 60 percent of our economy depends on the forest industry, if we do not haul logs, our plants are shut down, and our people are out of work. The basic payroll in our industry, which is in excess of \$470 million a year, the cash registers in every—I like to use the word “saloon,” they call them taverns, which is a business, every grocery store, every other kind of business, feels it, because our basic payroll generates the economy.

To demonstrate the urgency to our economy in Oregon on the need to restore these timber access roads on Federal lands by prompt enactment of the legislation before your committee, in the first week of March the Industrial Forestry Association made a telephone survey throughout the 19 counties of western Oregon and along the Columbia River in southwest Washington to tally the current log inventory situation.

Four questions were asked of the operators: (1) How many operating days' log supply was on hand March 1; (2) what was the normal log inventory on that date; (3) number of people they employed; and

(4) an explanation of why their inventory was less than normal, if that were the case.

A summary of this survey, which covered 142 operations, employing 26,285 persons, revealed the following:

In southern Oregon, of 50 companies contacted, 20 of them reported a shortage of logs with an average inventory of only 10 operating days' supply. Their normal inventory was 45 days' supply. Reason for shortage—impaired access to Federal forests.

Fifteen of these mills indicated that damaged roads and adverse weather would force them to close and lay off 1,721 employees, unless roads were opened up soon. With their families and the others who depend on such a basic payroll, we are talking here about a community of 10,000 people.

In the Willamette Valley and on the central Oregon coast of 40 operations contacted, 19 reported a shortage of logs, with an average inventory of 15 operating days' supply. This is about 50 percent of normal for this time of year. Reason for shortage: again, mostly impaired access to Federal forests.

Four of the operations in this district were down because they were completely out of logs, and 616 of their employees were idle.

In northwest Oregon and along the Washington side of the Columbia River, our survey covered 52 operations. Nine of them were completely out of logs, thus idling 540 employees. All but one of these were down because of flood-damaged roads to Government timber sale areas.

Mills along the Columbia River were generally in good shape for logs, but the inland mills in the district reported an average of only 20 days' supply. This is about one-third of normal for March 1. The reasons for lower inventories here were principally flood damage to roads in the Federal forests.

Since the above survey was made, and its results tallied, another month has passed. Fortunately for us in the Northwest, we had the driest and most open March within my memory.

Senator MOSS. Maybe you used up all your water in December.

Mr. HAGENSTEIN. I am afraid we did, Senator. I hope we did, because we do not want any deluges like that again.

Senator METCALF. May I interrupt you?

Mr. HAGENSTEIN. Certainly.

Senator METCALF. This bill was introduced on January 7, and if there had been prompt action on the bill, and this rare and unique opportunity to build roads, would that have helped you?

Mr. HAGENSTEIN. Yes, it would have, Senator, thank you very

It enabled us not only to build roads to new sources of timber, but to log more heavily than we normally can. This will mitigate some of the economic threats of the impending log shortage our survey indicated.

However, it does not reduce the urgent need to restore prompt access to Federal forests in Oregon, because our economy depends heavily on the harvest of Federal timber. Half of the annual log harvest comes from the national forests, and O. & C., and public domain lands.



Flood-damaged roads in these Federal forests, both those built by the Government and those built for it by its timber purchasers, must be restored in the next 60 days. Otherwise, we will run out of logs in many areas, which will put our people on the bricks in a time of the year when everybody expects to be working steadily.

Another disastrous effect, if these Federal roads are not repaired promptly, will be our industry's complete inability to build up the log inventories this summer and fall for next winter's operation of its plants.

On January 18 we wrote to all members of the Oregon, Washington, California, and Idaho delegations, transmitting copy of a telegram our president, Paul F. Ehinger, had sent to Senators Morse and Neuberger on January 16, supporting S. 327.

In this telegram we made several suggestions for broadening the bill to make it crystal clear that the emergency intent of the legislation is to help restore access in the flood-damaged areas so that all Federal forests can continue to make their rightful contribution to the jobs and payrolls essential in the many Northwest communities dependent thereon.

The pertinent parts of this telegram recommend that section 2(b) vest identical authority in both the Secretaries of Agriculture and Interior. The language we suggested is:

The Secretaries of Agriculture and Interior are authorized, with funds and authorizations available to them respectively for the construction and maintenance of roads and trails on lands administered by them, to undertake either directly or in cooperation with timber purchasers, the provisions of existing timber sale contracts notwithstanding, to restore or reconstruct to such extent as they deem appropriate any roads and trails which were in the process of construction by purchasers of timber from lands administered by the Secretaries and which were destroyed or severely damaged by the floods of December 1964 and January 1965.

We also recommended in the telegram that section 2(d) be broadened to provide equal coverage for Agriculture and Interior and to cover situations where the agencies have cooperative road agreements with other landowners. Our suggestion here is that the last proviso of section 120(f), title 23, be amended to read as follows:

*Provided further,* That the Federal share payable on account of any repair or reconstruction of highways, roads, or trails on lands of the United States administered by the Secretaries of Agriculture or Interior or on other lands over which the United States holds easements, permits, or other rights of use for the benefit of such lands of the United States, provisions of existing cooperative road agreements notwithstanding, may amount to 100 per centum of the cost thereof, whether or not such highways, roads, or trails are on any Federal-aid highway system.

Our third suggestion was that section 125(c), title 23, be amended to read as follows:

The Secretary may expend funds from the emergency fund herein authorized either independently or in cooperation with any other branch of the Government, State agency, organization, or person, for the repair or reconstruction of highways, roads, or trails on lands of the United States administered by the Secretaries of Agriculture or Interior or on other lands over which the United States holds easements, permits, or other rights of use for the benefit of such lands of the United States, provisions of existing cooperative road agreements notwithstanding, whether or not such highways, roads, or trails are on any of the Federal aid highway systems.

Members of the Public Works Committee, we cannot emphasize to you too strongly that if access to timber sale areas on Federal forests in Oregon is not restored promptly, and if a threatened log shortage materializes, Oregon communities will need far more assistance to maintain their economy than is being requested herein, because of the inevitable, serious unemployment that always comes in our State when the mills run out of logs.

We appreciate greatly the consideration of this committee in our current emergency, and urge you to enact speedily S. 327, with our suggested amendments, in behalf of the thousands of people in Oregon whose jobs are entirely dependent on logs from Federal forests.

Thank you very much.

Senator Moss. Thank you, Mr. Hagenstein.

We appreciate your testimony very much.

I notice in one of the examples that you cited this Klamath National Forest, where you say 3.82 miles of road was 95 percent completed, and then 3.6 miles was damaged. The total cost to repair that is \$102,800.

If we applied this 50-50 formula, that would leave about \$50,000 or more to be supplied by the timber operator. What would be the result of that, do you think?

Mr. HAGENSTEIN. In this particular case, because of the note that the Forest Service made on it, that the operator cannot handle the finance and repair, stimulated me to look into it a little bit.

Here is a man who is going to be out of business. He just could not handle it.

Senator Moss. He just cannot produce that sum for his share?

Mr. HAGENSTEIN. These fellows borrow up to the hilt, and if they have to go out and raise additional working capital, it just is not possible. They just do not have the collateral for it.

A typical operator in our region is one who operates 10 million feet of timber a year. He has a business that results in products that are \$800,000 or \$900,000. If he has \$50,000 additional working capital to raise, for any purpose, it is a rough go for him.

Senator Moss. Thank you, Mr. Hagenstein.

Your underlining the importance of the timber industry to the economy of Oregon adds to our record, and certainly adds to the urgency of our consideration, here. I appreciate it.

Senator Metcalf?

Senator METCALF. You gave some examples of some of the roads that because of the disaster effect were going to cost more to replace than original construction. Under this legislation, could an alternative site be selected, and maybe a cheaper road be built?

Mr. HAGENSTEIN. In some instances, that might be possible, Senator Metcalf. In others, of course, if you are building a road up a canyon, it may be the only possible location, and that is where you have to have it.

I am a logging engineer, myself, and have located and built many roads. Many times the ruling topography—one summit or one canyon—is where nature dictates that you have to go, and you have no alternative.

Senator METCALF. If we provide that we are going to replace some of these roads 100 percent, as provided in the original legislation, would that not discourage the search for an alternate site that might be cheaper in view of the changed conditions?



Mr. HAGENSTEIN. No; I do not really think so. If the agencies involved could locate a more reasonable site, I am sure they would apply their diligence to try to find it.

Senator METCALF. As you understand the legislation, replacement could be used for that, too?

Mr. HAGENSTEIN. Yes; I believe it could, sir.

Senator MOSS. Senator Bayh?

Senator BAYH. I would like to ask one question, if I could, Mr. Hagenstein.

You made a point of the fact in your remarks that the aid which you sought was confined to roads in which there was this timber purchase agreement, and you later talked about cooperative roads.

What about providing loan opportunities or something like this to the private operator? Do you feel there is no necessity for this? This is a private contractual responsibility of the men to whom you referred, here. Are the private road and tract owners more able to foot the cost of repairs than those who go in and build the roads under the timber purchase agreement?

Mr. HAGENSTEIN. There is a little different situation. The private owner is like you and me, like a homeowner. If something comes along, we sustain that loss, and we expect to replace it.

Sometimes we protect ourselves against losses with insurance. We have extended coverage on our homes. If you have flood damages, you probably have not gotten any insurance, because, as far as I have been able to determine, the premiums are so high practically nobody can afford it.

But these damages I have been talking about are generally on roads constructed under an agreement between a private landowner, or sometimes the State and county government, and the Federal Government, for the joint development of a road system that will serve both properties.

Often two owners, Government or private, or State and county government, get together and build a cooperative road. They generally work it out on the basis of the interests that appear. If I have 60 percent interest, I put in 60 percent of the cost, and so on.

Senator BAYH. You are suggesting that the Federal Government go into private property in the same manner as in these other two instances, but do you feel there is no reason to consider loan opportunities, or something like that?

Mr. HAGENSTEIN. There might very well be under some of the authorities that are already available in law for helping people out that need it. I think that might be a very good thing to consider.

Senator BAYH. In the measure which Senator Morse referred to this morning, that he and Mrs. Neuberger introduced, you are giving the various agency heads the right to compromise and release notes for the FFHA, and the Small Business Administration, and all these other things. I thought that perhaps you might care to give us your thoughts as to whether these funds could be used for these private roads.

Mr. HAGENSTEIN. I really have not studied that enough to really be very helpful to you, Senator Bayh. I do not know very much about these other agencies. The SBA I do, because it finances roads

and operations, but of the others referred to in the bill, I really do not have any personal knowledge.

But certainly if the Government serves the purpose the Government is intended to do, to do those things for citizens that they generally cannot do for themselves, certainly in terms of disasters like this, where people's investments in homes or farms or businesses are wiped out, and there are no possible ways for them to rebuild them on their own, this may be a very proper field for Government to get into in a much bigger way.

I remember the comparable hearing before the House committee on similar bills in the House. There was some discussion by Members of the Congress themselves as to the desirability in the long pull of having some Federal disaster insurance program which would take care of these things, and would safeguard the investments people have in homes or business when some act of God comes along and destroys them.

It was an intriguing discussion, and I recommend the testimony of that committee to you.

Senator BAYH. Thank you very much.

Mr. HAGENSTEIN. Thank you, sir.

Senator Moss. Thank you, Mr. Hagenstein. We appreciate it very much.

Mr. HAGENSTEIN. Thank you, Senator.

Senator Moss. Our next witness will be the Federal Highway Administrator, Mr. Rex Whitton.

We are very pleased to have you testify now, Mr. Whitton.

**STATEMENT OF REX M. WHITTON, FEDERAL HIGHWAY ADMINISTRATOR, BUREAU OF PUBLIC ROADS; ACCOMPANIED BY F. C. TURNER, ASSISTANT FEDERAL HIGHWAY ADMINISTRATOR AND CHIEF ENGINEER**

Mr. WHITTON. Thank you, Senator Moss, and members of the subcommittee.

May I have Mr. Turner, chief engineer, sit with me, please?

Senator Moss. We are pleased to have Mr. Turner, also.

Mr. WHITTON. I am happy to have the opportunity of appearing before you the second time this week.

I have a short statement, Mr. Chairman, and if I may, I would like to read it.

Senator Moss. You may proceed in that manner.

Mr. WHITTON. I am here this morning to present the comments of the Bureau of Public Roads and the Department of Commerce on the unusually severe damage to highways and bridges caused by the recent floods in California, Idaho, Oregon, and Washington, and a bill to provide relief, S. 1638.

An emergency has been declared by the Governors of these States, and the Secretary of Commerce has concurred in this finding.

Section 125 of title 23, United States Code, authorizes \$30 million annually for repair and reconstruction work of this kind. However, the amount authorized for fiscal year 1965 has been largely used to cover reconstruction of highways in Montana and Oregon damaged by



the floods of last spring, and to cover the Alaska earthquake damage.

As of March 26, 1965, only about \$4 million of the authorization was still available.

The Bureau of Public Roads already has received requests for emergency funds from the States approximating \$32 million, in addition to those projects to be financed from the remaining balance of \$4 million.

Of course, these requests cannot be approved until additional authority is made available.

We expect the States will soon submit additional programs of reconstruction projects, and will be in a position to award contracts during this fiscal year.

If I may, I would like to depart there for just a moment, to say that we have not caused any delay in proceeding with this repair work, because in recent weeks we have adopted a policy of what we call "token financing" of 5 percent of the job, so we can go ahead with the job, and when we get additional money, we will arrange for the rest of the financing.

Senator METCALF (presiding). So you have gone forward without waiting for the enactment of this or other legislation?

Mr. WHITTON. We have gone forward with our work as rapidly as they have presented their programs by 5-percent financing. In that way we have enabled the States to go ahead with their programs, and expect to reimburse them when the Congress approves—we expect them to approve—this request.

Our current estimates of the Federal share of the cost of repairing the damage in the four Northwestern States affected by the December floods are as follows:

In California, Federal-aid primary and secondary highways, \$14.3 million, and interstate highways, \$182,000;

In Idaho, primary and secondary highways, \$97,000;

In Oregon, primary and secondary highways, \$8.1 million, and interstate highways, \$1.4 million; and

In Washington, primary and secondary highways, \$1.1 million.

The total Federal share of the cost of reconstructing the Federal-aid highways in these four States is approximately \$25 million. Within this amount, the States have been authorized to proceed with repairs totaling approximately \$2.1 million of Federal funds.

In addition, damage to forest highways amounts to \$17.886 million in California, \$43,000 in Idaho, \$13.2 million in Oregon, and \$100,000 in Washington, for a total of about \$31 million in Federal funds.

The States have been authorized to proceed with repairs within this amount totaling approximately \$6 million. Table I indicates the estimate of the cost for reconstructing highways on the Federal-aid and forest highway systems.

Also damaged in the recent floods were forest roads and trails, park roads and trails, Indian reservation roads, and Bureau of Land Management roads.

The Departments of Agriculture and Interior are already at work with existing funds on the reconstruction of the roads under their jurisdiction, and we understand that they will seek additional funds under their regular programs for these roads as the work progresses.

Because the original construction of these roads was financed out of

the general fund, and in view of the magnitude of the damages in this case, and the financial condition of the highway trust fund, it seems appropriate that the costs of reconstruction for Agriculture's and Interior's roads be charged to the general fund rather than the highway trust fund.

Therefore, the authorization in S. 1638 is not intended to provide for repair and reconstruction of these Agriculture and Interior roads damaged by the recent floods.

The estimated Federal share of the damages to Federal-aid highways and forest highways is approximately \$56 million. Of this amount, about \$8.1 million has already been approved under existing authorizations. Another \$4 million can also be financed under the existing authorization, leaving an unfinanced balance of \$40 million.

The emergency relief draft bill which the Secretary of Commerce submitted to the Congress was subsequently introduced as S. 1638. This bill would raise the annual limitation of \$30 million now imposed by section 125 of title 23 to \$80 million for fiscal year 1965, and to \$50 million for each following year.

The proposed increase to \$80 million for 1965 would finance the \$44 million balance of urgently needed projects not covered under the existing authorization. It would also provide a small reserve for future emergencies during the rest of fiscal year 1965.

This increase is essential if the work now before us is to be done in time to prevent further serious injury to the economies of the States affected.

We also believe that the proposed increase in the present limitation to \$50 million annually for fiscal years after 1965 is equally necessary. The cost of reconstructing highways damaged during the past 2 years by earthquake and flood has been much greater than in the preceding several years. It has largely used up or exceeded the existing \$30 million annual authorization.

Table II indicates the allocations of emergency relief funds by States for fiscal year 1964. Table III indicates the allocations to March 26, 1965.

It is impossible to predict the time, place, or cost of future disasters, particularly those as extensive as the Alaska earthquakes and the recent floods in the Northwestern States. When they do occur, it is essential that highways be opened to traffic rapidly.

Since the \$30 million annual authorization was established in 1956, substantially larger annual amounts have been authorized from time to time for Federal-aid highway improvement. The increase in the extent of the highway network since 1956 has proportionately increased the probability of damage through natural disaster.

Finally, construction costs have increased since 1956, which in turn raises the costs of repair and reconstruction.

I should like to note at this point that the annual authorization does not cumulate, and any unused portions of the authorization lapse at the end of each fiscal year.

For these reasons, the Department of Commerce and the Bureau of Public Roads earnestly recommend enactment of S. 1638.

I submit tables I, II, and III, to which I referred, for placement in the record.

(The tables are as follows:)



TABLE I.—*Estimate of Federal share for reconstruction of highways damaged by recent floods on the west coast, by system*

	Region 7, California	Region 8			Total
		Idaho	Oregon	Washington	
ABC <sup>1</sup> .....	\$14,340,000	\$97,000	\$8,093,060	\$1,136,000	\$23,663,060
Interstate <sup>1</sup> .....	182,000	-----	1,399,100	-----	1,581,100
Forest highways.....	17,886,000	43,000	13,242,450	100,000	31,271,450
Total.....	32,408,000	140,000	22,734,610	1,236,000	56,515,610
Sliding scale rates.....	59.78	62.91	63.45	53.51	-----

<sup>1</sup> Figures represent total Federal share.

TABLE II.—*Emergency relief allocation, fiscal year 1964*

	50 percent	100 percent	Total
Alaska.....	\$3,041,772.00	\$17,146,045.00	\$20,187,817.00
California.....	217,850.00	2,626,150.00	2,844,000.00
Nebraska.....	38,000.00	-----	38,000.00
Nevada.....	-----	63,937.00	63,937.00
Vermont.....	249,500.00	-----	249,500.00
Virginia.....	278,294.00	49,240.00	327,534.00
Washington.....	42,500.00	3,500.00	46,000.00
West Virginia.....	395,620.00	-----	395,620.00
Subtotal.....	4,263,536.00	19,888,872.00	24,152,408.00
Reallocation of unused balance of prior allotments.....	1,367,517.17	2,065,262.72	3,432,779.89
Grand total.....	5,631,053.17	21,954,134.72	27,585,187.89

TABLE III.—*Emergency relief allocation, as of Mar. 26, 1965, fiscal year 1965*

	Federal-aid systems, 50 percent	Forest high- ways systems, 100 percent	Total
Alaska.....	\$2,608,500.00	-----	\$2,608,500.00
California.....	1,062,775.00	\$2,636,150.00	3,698,925.00
Florida.....	78,000.00	-----	78,000.00
Idaho.....	4,400.00	1,380,000.00	1,384,400.00
Montana.....	1,639,739.00	19,185,485.00	10,825,224.00
Nebraska.....	92,600.00	-----	92,600.00
Oregon.....	1,044,515.00	3,338,990.00	4,383,505.00
Subtotal.....	6,530,529.00	16,540,625.00	23,071,154.00
Reallocation of unused balance of prior allotments.....	+2,183,472.16	+823,449.58	+3,006,921.74
Grand total.....	8,714,001.16	17,364,074.58	26,078,075.74

<sup>1</sup> Includes \$800,385 transferred to Bureau of Indian Affairs for Blackfeet Indian Reservation in Montana.

Mr. Chairman, I have appreciated the opportunity to discuss this important matter before the subcommittee, and will answer your questions to the best of my ability.

Senator METCALF. Mr. Whitton, will you supply for the record the annual expenditures under section 125 since they have been authorized the \$30 million?

Mr. WHITTON. Yes, sir.

(Subsequently the following tabulation was received:)

*Emergency relief expenditures, fiscal years 1956 through 1964*

Fiscal year :	Expenditures	Fiscal year—Con.	Expenditures
1956-----	\$1, 767, 918. 51	1962-----	\$4, 641, 991. 44
1957-----	6, 787, 155. 11	1963-----	3, 442, 489. 14
1958-----	9, 442, 310. 87	1964-----	5, 302, 939. 02
1959-----	9, 683, 785. 41		
1960-----	5, 071, 415. 65	Total-----	50, 006, 034. 44
1961-----	3, 866, 029. 29		

Senator METCALF. We are glad to have you here, Mr. Whitton. We recall that your agency was most cooperative last year, when we had a similar disaster situation in Montana, and you expended quite a considerable amount of money in that area for the restoration and repair of roads on the Indian reservations, national parks, and so forth.

I know that you will be just as cooperative, and have demonstrated it by going forward with this token financing you suggested.

I am a little bit concerned about the delay in the report on this legislation. S. 327 was introduced two weeks after the flood; the committee was here, and ready and willing. I know they have always been anxious to take care of these disasters wherever the State is concerned, and we have only received the report of the Bureau of the Budget today.

When did you get your report in, Mr. Whitton?

Mr. WHITTON. February 18.

I might say, Senator, as further indication of our interest, I personally went to the area between Christmas and the 1st of January with other representatives of the Government, the Office of Emergency Planning, the Corps of Engineers, the Red Cross, Department of Health, and the Small Business Administration.

Then a couple of weeks later, Mr. Turner accompanied a delegation from the House committee to view the situation and meet with the people.

So we have endeavored to proceed with the repair of these roads, as fast as humanly possible.

Our Public Roads men and State highway men were in the field making estimates of damage almost immediately following the cessation of the rain. They flew in by helicopter and other ways to get into the areas to make the damage estimates so that we could present our report at the earliest possible date.

Senator METCALF. I congratulate you on the opportunity to be of service and your taking advantage of it.

Mr. WHITTON. Thank you, sir.

Senator METCALF. Senator Bayh?

Senator BAYH. Thank you, Mr. Chairman.

Mr. Whitton, you have presented your usual expert testimony in support of S. 1638.

The forest roads to which you refer in your testimony, I take it, are not the roads that we have been discussing involving timber purchase agreements.

Mr. WHITTON. No, sir.

Senator BAYH. Would you allow me to call on your expertise and comment about some remarks that have been made pursuant to S. 327?

Mr. WHITTON. The Bureau of the Budget has not yet cleared our report on S. 327, Senator Bayh.



Senator BAYH. Could I ask you about the present functioning of the Bureau of Public Roads, as far as the formula that you used in financing roads that are destroyed in a State by an act of God, in an emergency such as we had in the States we have been discussing?

Mr. WHITTON. Yes, sir. The Federal Government is now participating in the repair or reconstruction of those roads on the Federal-aid system on the same formula that we build them on the A-B-C system.

In other words, in Oregon, our participation in the reconstruction is 63.45 percent; in Idaho it is 62.91; in California, 59.78; and in Washington 53.51 percent.

That is our share of the reconstruction costs regardless of whether it is interstate or primary or secondary roads, if it is on the Federal-aid system.

Senator BAYH. Do you feel that perhaps some adjustment of this formula should be considered to take into consideration the type of damage? Instead of applying the uniform formula to each State, perhaps you should consider the bridge or the highway that was damaged, and the cost of replacing this, and in the formula what percentage of Federal funds were used versus what percentage of State funds were used in the original construction.

Mr. WHITTON. This is the percentage of State funds, the same percentage as in the original construction, except for interstate.

Senator BAYH. The 63.45 percent in Oregon would not be applied if it were a 90-plus percent Federal.

Mr. WHITTON. This percentage which I just mentioned would be applied to both the A-B-C and the Interstate System.

Senator BAYH. In that particular case if it was damaged to the Interstate System, which, in some States exceeds 90 percent because of the ownership of Federal land, the cost of replacing would be considerably higher to the State than the cost of the original construction?

Mr. WHITTON. Yes. If the whole bridge were washed out, it certainly would be higher to the State than the original construction, because the State only paid maybe a little under 10 percent of the original construction on the Interstate System, and in this case they would have to pay the difference between the 63.45 and 100.

Senator BAYH. What do you think of the equity suggested by Senator Morse earlier today, in adjusting this formula to apply it to a specific project, and the percentage of Federal funds originally used in this construction?

Mr. WHITTON. This is a personal opinion, Senator Bayh, and it does not represent the opinion of the Department of Commerce, because we have not had an opportunity to talk to them about it.

It would be my personal opinion that if I were back in Missouri and a bridge over one of our big rivers washed out on the interstate, that I, of course, would like to get it replaced under the same formula that it was built under.

You will recall prior to a year ago that our contribution to the damage in this way was only 50 percent. The Congress saw the wisdom of increasing that contribution to the same as applied to the building of it. In other words, in Oregon, a couple of years ago, our contribution in Oregon or Washington would only have been 50 percent, but the Congress has changed that ratio from 50 percent in

disaster relief of this nature to whatever the percentage was that was used in building the A-B-C roads.

Senator BAYH. So your answer would be "No," I suppose.

Mr. WHITTON. I said that is my own personal opinion; if it is an interstate road, I think the Congress would be justified in replacing it for the same percentage that it was built.

That is just a personal opinion.

Senator BAYH. Thank you very much.

Mr. WHITTON. Because, as I said before, our Department, the Department of Commerce, has not yet reported on this bill.

Senator BAYH. I realize this is unfair, but there is nobody that knows more about roadbuilding than you do, and I did not think you would mind my asking.

Mr. WHITTON. You are very kind, and I have put myself out on a limb in answering.

Senator METCALF. There is a Department of Commerce report that that arrived just about half an hour ago.

Senator BAYH. Mr. Chairman, may I say to the witness that I did not know about this report when I asked the question.

Senator METCALF. It is dated today, and it is the report of the agency. They have been probably as secretive about it with you as with us, as far as you are concerned.

Mr. WHITTON. Mr. Chairman, I may be up here tomorrow supporting something else.

Senator METCALF. I do not think you have said anything too violently in conflict with the report of your agency.

Thank you very much, Mr. Whitton, for your usual able testimony.

Mr. WHITTON. Thank you, sir.

Senator METCALF. The next witness is Mr. M. M. Nelson, Deputy Chief of the U.S. Forest Service.

We are glad to have you here, Mr. Nelson.

Do you want to identify Mr. Greeley for the record?

**STATEMENT OF M. M. NELSON, DEPUTY CHIEF, U.S. FOREST SERVICE, AND ARTHUR GREELEY, DEPUTY CHIEF, FOREST SERVICE, FOR NATIONAL FOREST RESOURCE MANAGEMENT**

Mr. NELSON. Thank you.

Mr. Chairman and members of the committee, I am pleased to be here before your subcommittee to make a statement in support of S. 327 with respect to the damage to national forest lands and facilities caused by the storms of December 1964 and January 1965.

Mr. Arthur W. Greeley, Deputy Chief of the Forest Service for National Forest Resource Management is also here with me.

The floods caused by the storms of December 1964 and January 1965 exceeded any known in the areas. Major damage occurred in Oregon, Washington, California, and Idaho, and was concentrated in substantial portions of 18 national forests. Damage also occurred in other national forests.

Most of the damage on the national forests was to roads, bridges, and major culverts, with extensive damage also to recreation developments and administrative facilities.



This was the greatest single disaster, in terms of damage to improvements that has occurred to national forests in the last 50 years.

Task forces were immediately organized by the Forest Service to make a preliminary review of damage estimates. Early stages of the floods did considerable damage to national forest areas which were later covered with heavy snowfall. We were thus able to examine only about 75 percent of the total, but this gives us a sound base for estimating the total damage.

Areas examined showed that 9,090 miles of roads currently on the Forest Service forest development roads and trails system and 581 bridges and major culverts were completely destroyed or made unusable.

We anticipate that the total road damage will amount to 12,000 miles when we can examine those areas now under snow at the higher elevations.

The transportation system which serves the national forests is actually an interlinking of State highways, county roads, forest highways, and the forest development roads and trails. Restoration of all component parts of the total system is urgent.

We are interested in the restoration of all. The forest development roads and trails are the direct responsibility of this Department.

The economy of the innumerable communities and the livelihood of hundreds of thousands of persons in the area are dependent upon continued operation of the industries which must obtain their raw materials and move their products over the roads and highways of the area.

Protection, development, and utilization of the national forests and their resources cannot go forward without an adequate forest roads and trails system connecting with the rest of the total transportation system.

Aside from the need for their protection and the importance of the use of other national forest resources, the 18 national forests in which damage was concentrated have an allowable annual cut of timber of 3.9 billion board feet.

This is very substantial part of the total timber volume handled by the timber industries, which provide leading support for the economy of the area.

Temporary restoration of use of key segments of the forest roads and trails through emergency measures is moving forward rapidly, but full restoration is essential.

Our estimate of the total damage to the Forest Service roads and trails, including bridges and major culverts, which were already part of the forest development roads and trails system, is \$47 million.

In addition to those roads and trails which were already a part of the forest development roads and trails system, many miles of roads which, upon acceptance by the Forest Service, would become part of that system, were in the process of construction by purchasers of national forest timber under the terms of the timber sale contracts.

Damage to these by the storms was also severe. Our estimate of damage to the roads in the process of being constructed by timber purchasers is \$4 million. These are roads which purchasers of national forest timber have the responsibility of constructing under the terms of their timber sale contracts. They are the roads which are

not in place at the time the timber sale is made, but are essential to the logging operation.

The ones with which we are presently concerned are those which, upon completion of construction by the timber purchaser and upon acceptance by the Forest Service, will become part of the forest development roads and trails system.

The completion of these roads is a prerequisite to log production from the timber sale area. Log production is a most difficult phase of getting the forest products industries in the flood-stricken areas back to normal activity.

On certain national forests, notably the Six Rivers and Klamath National Forests in California, damage to some of these roads has been particularly severe. Damage to this type of road ranges from severe down to a degree of loss which purchasers are accustomed to experience in the winter season.

Those roads constructed by timber purchasers, which have been accepted by the Forest Service as meeting construction specifications, are a restoration responsibility of this Department, and not of the timber purchaser. Such accepted roads are in the same status as other parts of the forest development roads and trails system.

This is not the case for roads in the process of construction by timber purchasers.

Where major and abnormal damage has occurred to these roads which were in the process of being constructed, the responsibility for restoration is more than we can expect timber purchasers to absorb. There is a joint interest by the timber purchaser and the United States to restore them.

The timber purchaser needs the roads for the continued operation of the manufacturing plants and the continued employment of the men working in the plants and in the woods. If the mills shut down because of lack of logs, the affected communities would suffer disastrous effects from unemployment.

The Government needs these roads rebuilt to continue its timber harvesting program and for administration and protection of the national forests.

In order to differentiate between major losses on which some sharing of restoration should be borne by the Government, and minor losses which timber purchasers over many years have traditionally borne, we recommend that section 2(b) of S. 327 be amended as suggested in the report of the Secretary of Agriculture.

The recommended formula would provide that the timber purchaser would bear the estimated cost of uncompleted work, and the first 15 percent of the estimated cost incurred on the damaged or destroyed portions of the road.

The Secretary of Agriculture would bear the next \$1,000 of the cost of restoration, reconstruction, and completion. The Secretary and the timber purchaser would share equally the remaining estimated costs.

Federal assistance under this formula would not be authorized, however, if the estimated damage is less than \$500.

In considering the whole restoration job, there is an immediate need to make the damaged roads operable. Some of this work is underway. The total reconstruction job will need to be programed over a 2- to 3-year period.



We propose to use authority now available to the Secretary of Agriculture for the protection and management of the national forests to accomplish the required restoration work. Steps are underway to determine the amount of additional obligating authority which would be needed in the fiscal year 1966.

An appropriations request will be made to the Congress as part of the regular budgetary process. It will therefore not be necessary to amend the Federal Aid Highway Acts of 1962 and 1964 to authorize additional sums for forest roads and trails.

This rehabilitation work on forest roads and trails will need to be correlated with the regular forest roads and trails construction and maintenance activity for which this Department is responsible.

Another effect of these disastrous storms of December 1964 and January 1965 has been that the access to sources of timber supply from the national forests for the wood-using industries has in many instances been cut off completely or seriously impaired.

Until this access can be restored, other sources of timber must be provided, if the affected industries are to continue operation. Otherwise, the people and communities dependent upon these industries will face the results of mills shut down and people unemployed.

We are endeavoring to reprogram timber sales to the fullest extent possible, and are making progress. However, under present authority, the Forest Service must advertise timber sales in excess of \$2,000 in value for at least 30 days. This advertisement follows the time-consuming job of sale preparation.

To remedy this, we recommend that authority be granted to make timber sales after not less than 7 days' advertising. Appropriate language to accomplish this is included in the Secretary of Agriculture's report to this committee.

We have reprogramed road and other funds presently available to the extent possible. Over \$8 million of previously unused road construction authority has been released by the Bureau of the Budget, and is being used. We have submitted supplemental budget requests to the Congress for needed appropriations. We have shifted personnel to help.

We recognize this disaster as having a great impact on the local economy, and are working hard to lessen that impact.

Mr. Chairman, that finishes my prepared statement.

I do have three pictures that you might like to take a look at, with a little summary, if you would like to see those.

Senator BAYH (presiding). Fine.

Mr. NELSON. This first picture, Mr. Chairman, is part of what was left of the Clackamas River Road in Oregon, which is a very heavily used road for hauling timber.

This picture was taken where you can see part of the road, there. We could have taken pictures where you could not see any of the road at all, because it was all washed away.

Mr. Hagenstein spoke of benches on which roads were built being completely washed out. That is a type of the example we are talking about.

Incidentally, in connection with this particular road, I want to comment that the Bureau of Public Roads and the State highway people went to work real fast and got some temporary road in the lower part

of the Clackamas. We certainly appreciate what they were able to do by acting fast.

Senator BAYH. Exactly what type of road is that?

Mr. NELSON. This was a two-way road for hauling about a million feet of timber a day during the logging season.

Senator BAYH. How was it built and financed, originally, and under whose jurisdiction?

Mr. NELSON. I think the basic road here was originally financed for timber hauling during the war. It has been improved with various types of funds.

The upper part of it would be built with our regular forest roads and trails funds. The high elevations parts would be built by timber sale purchasers under timber sale contracts. Some of it may have been forest highways, and the lower part State highway.

Senator BAYH. This is one of the types of roads that has been described in the timber purchase agreement?

Mr. NELSON. They would be roads of that type. The roads they would be building would be the roads off of this main road. But this is one of the main roads that would have to be repaired.

Just to give you an idea of the damage suffered: 12,000 miles of roads, 585 bridges and major culverts—a major culvert is a culvert larger than 4 feet, with many up to 18 feet—extensive damages to trails; 210 buildings and administration units; over a thousand recreation project units; over 4,000 water project units—so our total damage was very extensive in the national forests.

This is a real interesting picture of damage to one of the sawmills on the Eel River in California. In the lower left-hand corner of the picture is where the river was located. You can see a four-lane highway here.

What is left of the sawmill—here the owner had his log deck. He was all set for the winter, and ready to employ his people through the rest of the winter and continue to operate.

The flood came along. Through the center of the picture you see the railroad. In the background of the picture, this mound of logs, stumps, and debris, and lumber, was once a farm. You can see the farm home, the barn, and what was the pastureland now covered with many feet of debris.

The flood came along and took out part of the mill. You can see what is left of the owner's cold deck of logs. A lot of these logs now in this area came from sawmills up the river.

Much of the area on our rivers and streams has that type of a look—with piles of debris—like shown in the picture. It is going to take a lot of work to clean the channels.

You can see what would happen to roads and bridges with that type of debris, logs, and material coming down the river.

At the House hearings, one of the experts testified that at one point the Eel River carried as much water as the Mississippi River normally carries at Memphis, Tenn., so you can see it was a tremendous flood.

This chart shows people in jobs affected: There were 195 sawmills that depend on national forest timber, for at least part of the supply, that were affected. Those sawmills employ 20,831 employees.

As I indicated, our bridge damage was very extensive. Here is a picture of one of the bridges that is still in, but the approaches are completely gone, and it is not usable.



The cost to repair damages, as I indicated in my testimony, about \$47 million for the forest road system.

I want to emphasize that does not include an estimate for what payment might be authorized under this bill for assistance to the timber-operator-built roads.

About \$5.8 million of damage was done to our other resource improvements.

Financing requirements of the roads: The damage to the road system without the estimate for the timber operator roads would be \$47 million. We will reprogram about \$3 million. We received authorization, that had not been used, from the Bureau of the Budget of \$8 million, indicating a remaining need for \$36 million, which we indicated in our testimony will be taken care of through regular authorization that we have for protection and management of the national forests.

Senator BAYH. Thank you very much, sir.

I would like to ask a question or two.

First of all, we have here a list of questions that would give the committee a better record concerning the loss involved. I would not take your time now to ask these questions, but would ask that the members of the staff consult with you to get the information, and we request to have this put in the record.

Mr. NELSON. We will be very glad to do that.

(Subsequently the following information was received:)

SUPPLEMENTAL INFORMATION TO THE STATEMENT OF A. W. GREELEY AND M. W. NELSON, DEPUTY CHIEFS, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

The attached tabulation is in response to the following items requested by the subcommittee, concerning flood damage sustained on timber purchaser roads in the four Western States covered by the bill S. 327.

1. Company name.
2. Date of purchase (sale date).
3. Total volume of timber in each sale (sold volume).
4. Appraised price in total dollars (appraised value).
5. Bid price in total dollars.
6. Road construction estimates in total dollars (appraised estimate of timber roads to be constructed by timber sale operator).
7. Value of road construction accomplished to date of flood (system roads constructed by timber sale operator).
8. Estimated road loss due to floods (loss of system roads which are a responsibility of the operator).
9. Profit and risk allowance in timber sale appraisal (in percent for regions 1, 4, and 5 and in dollars for region 6).
10. Estimated cost to repair road (cost to repair system roads which are responsibility of the timber sale operator).
11. Has the road been repaired in full or in part and by whom (indicated in percent of damage repaired)?
12. Is the road now being used for log hauling?

*Flood damage sustained on timber purchase roads not accepted by the Forest Service due to the floods in California, Oregon, Idaho, Washington, and Montana, December 1964 and January 1965*

[Summary by States]

State	Number of sales	Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost, 10b roads	Value of road construction accompanied at flood date	Estimated purchase loss due to flood	Estimated cost to repair roads
Idaho:								
Region 1.....	4	52.4	\$379,668	\$408,349	\$337,627	\$143,500	\$10,000	\$10,000
Region 4.....	5	51.6	253,643	326,855	354,618	201,934	12,750	16,675
Totao, Idaho.....	9	104.0	633,311	735,204	692,245	345,434	22,750	26,675
California, region 5.....	56	1,157.8	8,982,538	14,268,317	6,487,055	3,400,637	1,095,550	1,095,550
Oregon, region 6.....	185	1,951.9	28,570,980	42,624,350	16,425,179	12,232,439	540,503	569,685
Washington, region 6.....	8	117.0	842,067	1,666,756	1,100,755	551,637	25,425	26,595
Grand total.....	258	3,330.7	39,028,896	59,294,627	24,705,234	16,530,147	1,684,228	1,718,505



*Flood damage sustained on purchaser roads not accepted by the Forest Service as a result of the December 1964 and January 1965 floods in Oregon, Washington, Idaho, California, and Montana*

Forest and company name	Sale date and number	Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost of 10b roads	Value of road construction accomplished, Dec. 24, 1964	Estimated purchaser loss due to floods	Profit and risk allowance in appraisal (percent)	Estimated cost to repair road	Percent road damage repaired—by whom	Is road now being used for log hauling
Clearwater: Potlatch Forest, Inc.	Aug. 1, 1960	31.0	\$267,405	\$267,405	\$256,027	\$80,000	\$7,000	10.0	\$7,000	None	No.
St. Joe: Pack River Lumber Co.	Dec. 4, 1962	7.2	19,444	21,532	31,827	30,000	2,000	14.2	2,000	do.	No.
Nez Perce: Ida Pine, tenants in common.	Oct. 22, 1962	6.5	22,308	37,030	3,755	3,500	500	13.0	500	100 percent, operator.	Yes.
Potlatch Forests, Inc.	June 10, 1964	7.7	61,511	82,352	46,018	30,000	500	12.3	500	40 percent, operator.	Yes.
Total, region 1.		52.4	379,668	408,349	337,627	143,500	10,000		10,000		
Sawtooth: Wendell Mill.	July 20, 1962	8.0	16,000	16,000	21,120	13,023	1,300	6.2	1,750	None	No.
Do.	May 17, 1962	8.0	34,000	73,600	91,250	79,268	2,475	7.1	3,300	do.	No.
Boise: Boise Cascade Lumber Co.	June 30, 1964	19.8	145,137	149,879	151,814	36,435	2,350	11.8	3,125	do.	No.
Do.	May 7, 1964	13.0	51,146	78,856	65,260	52,200	2,625	11.8	3,500	do.	No.
Weatherby Lumber Co.	June 27, 1963	2.8	7,360	8,530	25,164	21,000	4,000	6.0	5,000	do.	No.
Total, region 4.		51.6	253,643	326,855	354,618	201,934	12,700		16,675		
Tahoe: J. R. Simplot.	June 29, 1962	5.0	135,273	135,282	8,500	11,900	600	12.0	600	None	No.
Feather River Lumber Co.	Sept. 19, 1963	7.6	55,874	55,874	25,491	5,800	100	12.4	150	do.	No.
Total.											
Six Rivers: Dismore Lumber Co.	June 27, 1963	11	167,440	192,640	122,917	38,350	30,000	12.0	30,000	None	No.
Dismore Veneer.	June 15, 1964	47.4	458,674	689,749	223,040	50,000	10,000	10.3	10,000	do.	No.
M. & M. Lumber Co.	Apr. 4, 1963	19	95,880	95,880	16,709	17,000	5,000	12.0	5,000	do.	No.
Carolina-Pacific Plywood.	Apr. 15, 1964	4	51,300	328,830	196,658	8,800	15,000	11.2	15,000	do.	No.
Carolina-Pacific Management Co.	June 6, 1963	13.0	207,357	315,712	103,988	123,100	10,000	13.0	10,000	do.	No.
Standard Veneer	Mar. 29, 1961	31.0	148,070	585,070	299,818	335,500	250,000	9.0	250,000	do.	No.
Medford Veneer & Plywood Corp.	June 17, 1963	29.0	517,168	969,443	234,833	221,000	200,000	12.3	200,000	85 percent, purchaser.	No.

Simonsen Logging Co.	Dec. 31, 1962	24	25.0	142,784	142,688	72,753	65,000	50,000	14.0	50,000	do	No.
Medford Veneer & Plywood Corp.	Nov. 12, 1963	18	8.5	25,500	172,125	103,368	92,800	30,000	12.0	30,000	5 percent, purchaser.	No.
Simonsen Logging Co.	May 22, 1964	5	15.0	44,700	384,108	91,814	87,000	5,000	10.1	5,000	None.	No.
Humbolt Fir, Inc.	June 15, 1962	13	23.0	120,000	120,000	83,751	83,000	50,000	12.0	50,000	do.	No.
Do.	June 21, 1963	10	16.7	48,500	51,500	140,548	32,500	5,000	12.0	5,000	do.	No.
Do.	do.	9	12.0	180,648	180,048	17,337	13,900	10,000	12.0	10,000	do.	No.
Total.			255.0	2,399,138	4,427,917	1,810,555	1,268,770	670,770		670,770		
Eldorado National Forest:												
American Forest Products Co.	Mar. 11, 1964	2	20.1	90,192	198,512	110,924	22,750	2,600	13.1	2,600	None.	No.
Do.	Mar. 31, 1964	1	28.6	406,895	568,595	34,759	6,600	3,200	14.4	3,200	do.	No.
Michigan-California Lumber Co.	June 17, 1963	9	15.0	303,734	303,734	31,783	13,000	2,000	12.4	2,000	do.	No.
Pimental & Son.	Aug. 2, 1963	3	9.3	22,742	133,145	35,304	9,250	1,000	11.8	1,000	do.	No.
Wetzel-Oviatt Lumber Co.	Apr. 23, 1964	3	29.9	342,484	633,854	71,940	40,300	5,600	12.2	5,600	do.	No.
Total.			(102.9)	(1,166,017)	(1,837,840)	(284,710)	(91,800)	(15,000)		(15,000)		
Klamath National Forest:												
Douglas Eastlick.	Jan. 14, 1963	21	20.0	44,500	44,500	143,159	82,810	3,000	9.3	3,000		No.
Do.	June 9, 1964	24	5.6	21,093	65,740	19,786	8,951	600	12.1	600		Yes.
Pine Mountain Lumber Co.	May 19, 1964	17	9.5	152,138	235,996	66,553	13,864	3,000	12.6	3,000		No.
High Ridge Lumber Co.	June 25, 1963	14	14.5	31,700	32,190	79,874	17,134	3,000	10.6	3,000	None.	No.
Siskiyou Mills.	Sept. 27, 1963	23	16.5	46,100	46,100	141,711	86,586	5,900	12.2	5,900	None.	Yes.
Do.	May 24, 1963	10	28.0	206,150	207,790	278,725	172,120	8,000	12.0	8,000	do.	No.
Do.	Mar. 1, 1962	1	16.4	73,200	288,600	115,568	65,728	13,000	9.1	13,000	do.	No.
Do.	Apr. 22, 1964	10	17.3	63,455	276,920	69,198	5,550	3,900	12.1	3,900	37 percent, purchaser.	Yes.
Josephine Plywood.	Oct. 23, 1962	14	21.8	60,720	60,834	214,648	125,222	9,100	13.0	9,100	None.	No.
J. F. Sharp Lumber Co.	Sept. 11, 1962	12	14.9	56,900	57,935	139,383	70,304	5,000	12.5	5,000	do.	No.
A. S. Rochlin.	June 4, 1964	23	14.9	41,100	47,295	130,942	78,306	11,700	10.6	11,700	do.	No.
Humboldt Fir, Inc.	Jan. 21, 1964	4	11.3	33,900	33,900	197,953	86,208	29,200	14.0	29,200	None.	No.
Van Vleet Wood Products.	June 28, 1963	15	21.0	61,800	109,925	165,959	28,971	3,000	12.0	3,000	do.	No.
Total.			(211.7)	(892,776)	(1,507,725)	(1,762,559)	(842,054)	(98,400)		(98,400)		
Mendocino National Forest:												
Diamond National Corp.	do.	8	37.5	82,000	242,200	320,141	128,623	35,000	13.0	35,000	None.	No.
Do.	June 5, 1964	6	29.1	69,266	122,166	219,687	9,797	8,500	12.0	8,500	do.	No.
Glenco Forest Products.	June 21, 1963	4	18.9	158,816	158,816	65,970	44,979	12,500	13.0	12,500	do.	No.
F. M. Crawford Lumber Co.	June 28, 1963	7	11.2	31,020	31,899	113,528	11,757	2,000	12.0	2,000	do.	No.
Do.	Sept. 20, 1962	5	24.1	63,000	63,000	228,597	220,909	10,000	12.0	10,000	do.	No.
Covelo Lumber Co.	June 28, 1964	6	19.7	38,000	76,910	108,008	105,710	145,500	13.0	145,500	do.	No.
Do.	Apr. 14, 1964	4	26.8	195,579	195,579	150,857	20,340	15,000	13.7	15,000	do.	No.
Do.	Mar. 24, 1964	3	29.7	61,600	301,562	229,424	21,622	15,000	13.1	15,000	do.	No.
Total.			(197.0)	(699,281)	(1,192,132)	(1,426,212)	(563,737)	(243,500)		(243,500)		



## NORTHWEST DISASTER RELIEF PROGRAM

*Flood damage sustained on purchaser roads not accepted by the Forest Service as a result of the December 1964 and January 1965 floods in Oregon, Washington, Idaho, California, and Montana—Continued*

Forest and company name	Sale date and number	Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost of 100 roads	Value of road construction accomplished, Dec. 24, 1964	Estimated purchaser loss due to floods	Profit and risk allowance in appraisal (percent)	Estimated cost to repair road	Percent road damage repaired—by whom	Is road now being used for log hauling
Plumas National Forest: Georgia-Pacific Corp.-----	May 20, 1964	15.0	161,707	227,488	52,166	39,000	37,000	13.3	37,000	None-----	No.
Do-----	June 2, 1964	24.0	394,315	646,240	30,149	11,000	3,400	12.2	3,400	do-----	No.
Total-----		(39.0)	(556,022)	(873,728)	(82,315)	(50,000)	(40,400)		(404,000)		
Sbesta-Trinity National Forest: Lorenz Lumber Co.-----	Dec. 16, 1963	12.0	131,617	131,642	17,068	29,965	600	13.4	600	30 percent, purchaser-----	No.
Scott Lumber Co.-----	June 15, 1964	14.4	154,917	190,862	64,260	1,170	2,000	11.8	2,000	None-----	No.
Moss Lumber Co.-----	Mar. 19, 1963	10.4	122,136	184,416	27,261	18,070	1,300	13.0	1,300	70 percent, purchaser-----	No.
Do-----	Nov. 12, 1963	14.8	75,164	233,379	80,097	7,800	5,000	12.9	5,000	35 percent, purchaser-----	No.
Dismore Lumber Co.-----	Oct. 23, 1963	17.0	134,960	266,460	98,891	30,550	3,200	12.7	3,200	None-----	No.
Twin Harbors Lumber-----	June 21, 1963	18.0	297,412	301,887	38,768	34,320	2,000	12.0	2,000	do-----	No.
Diamond National Corp-----	June 9, 1964	13.6	40,400	130,605	86,100	40,820	600	12.5	600	25 percent, purchaser-----	No.
Main Lumber Co.-----	Mar. 5, 1963	5.6	27,955	47,425	17,659	9,295	2,900	13.0	2,900	None-----	No.
Do-----	Dec. 26, 1963	12.1	161,755	190,350	72,014	16,900	2,700	15.0	2,700	do-----	No.
International Paper Co-----	June 11, 1964	17.0	154,294	154,294	70,337	49,400	300	12.7	300	do-----	No.
Kimberley-Clark Corp-----	Apr. 2, 1963	22.0	221,870	464,870	91,845	87,685	1,000	11.7	1,000	do-----	No.
Do-----	Nov. 18, 1964	175.9	1,683,500	1,859,750	431,200	254,800	3,000	12.1	3,000	do-----	No.
Do-----	Nov. 26, 1963	11.8	140,040	283,230	25,208	3,510	2,900	11.3	2,900	None-----	No.
Total-----		(338.6)	(3,289,300)	(4,438,970)	(1,120,708)	(584,285)	(27,500)		(27,500)		
Umpqua: Forest Industries-----	Dec. 27, 1963	15-202	\$739,294	\$1,129,694	\$283,344	\$148,327	\$2,000	\$346,723	\$2,000	75 percent operator-----	Yes.
Coning Corp-----	Aug. 27, 1962	15-8	68,655	142,690	104,109	28,400	5,000	70,263	5,000	90 percent, operator-----	Yes.
Eugene Plywood-----	Apr. 27, 1964	15-220	208,905	338,305	133,188	26,638	7,000	116,164	7,000	do-----	No.
Douglas Veneer-----	Nov. 30, 1962	15-34	293,445	293,535	318,245	222,772	3,000	258,957	3,000	do-----	Yes.
Nordic Veneer-----	Dec. 26, 1962	15-72	46,330	55,690	10,268	10,268	1,000	22,581	1,000	0 percent, operator-----	No.
U.S. Plywood-----	Dec. 6, 1961	156-43269	536,933	633,053	337,664	320,731	3,000	213,952	3,000	90 percent, operator-----	No.
Do-----	Oct. 1, 1962	15-16	144,990	253,410	66,918	46,843	1,000	91,080	1,000	50 percent, operator-----	No.
Do-----	Aug. 13, 1963	15-167	178,590	178,690	83,814	75,433	1,000	116,254	1,000	0 operator-----	No.

Sum Studs.	Dec. 20, 1961	156-44970	13, 100	158, 410	158, 450	173, 294	171, 598	1, 000	148, 941	1, 000	50 percent, operator.	Yes.
Paul B. Hult Lumber Co.	May 28, 1962	156-45010	9, 500	87, 430	87, 535	102, 991	92, 692	1, 000	87, 139	1, 000	0 operator.	No.
Martin Box Co.	Nov. 30, 1960	156-43260	23, 000	283, 050	283, 170	372, 658	279, 501	7, 500	174, 490	7, 500	60 percent, operator.	No.
Nordic Veneer	June 18, 1963	15-146	11, 800	121, 422	121, 892	146, 850	139, 033	4, 200	141, 900	4, 200	30 percent, operator.	Yes.
Evans Products	Nov. 7, 1962	15-23	5, 600	79, 626	79, 656	40, 400	39, 592	4, 000	63, 342	4, 000	70 percent, operator.	Yes.
Bohemian Lumber Co.	Dec. 7, 1962	15-68	13, 900	257, 675	257, 675	48, 194	45, 784	6, 000	157, 661	6, 000	0 operator.	No.
Douglas Veneer	Aug. 1, 1961	156-43322	30, 000	281, 380	281, 430	427, 354	418, 807	6, 500	201, 882	6, 500	70 percent, operator.	Yes.
Evans Products	June 26, 1962	156-45025	14, 000	130, 400	130, 550	97, 788	95, 832	2, 000	141, 580	2, 000	do.	No.
U.S. Plywood	Aug. 27, 1962	15-6	12, 800	198, 780	198, 910	82, 291	80, 076	4, 000	133, 988	4, 000	25 percent, operator.	No.
C. & D. Lumber Co.	June 12, 1963	15-138	9, 600	167, 594	168, 144	68, 098	40, 859	3, 000	104, 854	3, 000	0 percent, operator.	No.
Roseburg Lumber Co.	Oct. 9, 1962	15, 17	13, 400	174, 362	178, 372	103, 589	103, 589	2, 000	183, 547	2, 000	50 percent, operator.	Yes.
Bohemian Lumber Co.	June 6, 1962	156-45013	21, 900	148, 820	222, 520	250, 751	188, 063	6, 500	218, 562	6, 500	do.	Yes.
U.S. Plywood	Nov. 22, 1963	15-191	16, 600	267, 627	267, 652	110, 508	29, 837	5, 000	176, 763	5, 000	0 percent operator.	No.
Martin Box Co.	Nov. 7, 1962	15-22	14, 900	296, 140	296, 885	82, 272	24, 082	1, 000	178, 285	1, 000	100 percent, operator.	Yes.
Steve O. Wilson	June 28, 1963	15-156	12, 500	191, 130	270, 120	63, 540	3, 177	2, 000	129, 846	2, 000	0 percent, operator.	No.
Round Prairie	June 18, 1963	15-147	10, 700	132, 556	132, 586	39, 866	39, 866	3, 000	96, 657	3, 000	do.	No.
L. & H. Lumber Co.	June 24, 1964	15-240	12, 900	88, 926	91, 026	98, 944	72, 229	4, 000	120, 241	4, 000	do.	No.
Winema Lumber Co.	Oct. 25, 1963	15-188	5, 500	111, 955	111, 970	22, 283	18, 718	3, 000	59, 205	3, 000	do.	No.
Martin Bros. Box	Oct. 28, 1958	156-37117	75, 000	408, 205	412, 531	282, 800	226, 240	5, 000	325, 665	5, 000	do.	No.
Total			449, 630	5, 800, 630	6, 776, 081	3, 980, 889	2, 989, 637	93, 700		93, 700		
Winema:												
Modoc Lumber Co.	May 21, 1963	20-80	6, 600	28, 796	59, 413	26, 201	20, 960	4, 725	52, 470	4, 725	None	No.
Do.	Dec. 6, 1962	20-55	9, 700	87, 817	87, 856	73, 742	18, 435	3, 375	70, 713	3, 375	do.	No.
Loveness Lumber Co.	June 26, 1963	20-87	3, 000	23, 948	26, 438	6, 899	5, 520	2, 450	24, 660	2, 450	25 percent, operator.	No.
Klamath Lumber & Box Co.	Sept. 14, 1962	20-11	8, 700	105, 825	119, 865	16, 006	13, 605	5, 450	64, 554	5, 450	(?)	No.
Total			28, 000	248, 388	293, 572	122, 848	58, 520	16, 000		16, 000		
Deschutes: Tite Knot Pine Mill.	June 29, 1962	45198	27, 500	323, 245	324, 575	33, 284	32, 000	10, 000	187, 000	10, 000	0	No.
Stuslaw:												
Williamina Lumber Co.	May 18, 1964	12-94	4, 600	102, 710	158, 005	38, 282	38, 282	100	35, 788	100	0	No.
Williameth Valley Lumber Co.	Apr. 3, 1964	922	8, 100	162, 502	289, 502	75, 748	40, 000	2, 500	69, 063	2, 500	0	No.
U.S. Plywood	Mar. 30, 1964	917	5, 150	140, 730	181, 817	30, 563	28, 117	200	42, 230	200	0	No.
Davidson Industries	Mar. 2, 1962	39404	5, 700	105, 590	105, 590	52, 362	41, 890	300	61, 560	300	100 percent, operator.	Yes.
U.S. Plywood	Apr. 17, 1962	39411	7, 900	189, 820	190, 580	55, 556	50, 000	100	32, 469	100	0	No.
Do.	May 16, 1962	39424	10, 500	210, 555	211, 085	83, 482	75, 134	1, 000	81, 375	1, 000	0	No.
La Duke Lumber Co.	June 6, 1962	39430	11, 200	204, 850	205, 985	103, 968	93, 571	100	89, 376	100	100 percent, operator.	Yes.
U.S. Plywood	Oct. 8, 1962	30	12, 600	269, 070	287, 630	114, 888	114, 888	3, 100	104, 076	3, 100	50 percent, operator.	Yes.
Davidson Industries	June 20, 1963	804	7, 000	65, 615	65, 615	105, 454	105, 454	2, 200	65, 590	2, 200	10 percent, operator.	Yes.



*Flood damage sustained on purchaser roads not accepted by the Forest Service as a result of the December 1964 and January 1965 floods in Oregon, Washington, Idaho, California, and Montana—Continued*

Forest and company name	Sale date and number		Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost of 10b roads	Value of road con- struction accom- plished, Dec. 24, 1964	Esti- mated pur- chaser loss due to floods	Profit and risk allow- ance in appraisal (percent)	Esti- mated cost to repair road	Percent road damage repaired—by whom	Is road now being used for log hauling
<b>Shuslaw—Continued</b>												
Erskine Lumber Co.	Aug. 16, 1963	679	7,600	198,083	198,088	32,952	32,952	300	79,496	300	80 percent, operator.	Yes.
Do.	Mar. 7, 1962	39406	9,300	243,910	320,399	39,436	31,549	400	78,120	400	100 percent, operator.	Yes.
Timber Access Industries.	Aug. 16, 1963	819	22,700	192,810	255,689	160,877	120,638	3,000	192,723	3,000	do.	Yes.
Erskine Lumber Co.	Dec. 30, 1963	891	5,063	128,900	143,000	39,300	39,300	500	49,820	500	60 percent, operator.	Yes.
LaDuke Lumber Co.	June 30, 1964	977	9,200	258,100	300,400	79,100	55,400	3,000	87,676	3,000	100 percent, operator.	Yes.
Brand—S Logging Co.	June 7, 1963	692	14,500	230,300	233,900	165,200	165,200	1,000	171,245	3,000	80 percent, operator.	Yes.
Davidson Industries Co.	Apr. 24, 1962	39414	6,300	97,700	97,700	61,500	53,000	2,700	55,377	1,000	0	No.
Do.	Nov. 18, 1963	861	1,700	25,700	26,800	18,700	17,200	1,500	29,604	2,700	0	No.
Brand—S Logging Co.	Sept. 14, 1964	1202	9,400	253,900	404,200	59,200	27,800	1,500	86,762	1,500	0	No.
Do.	June 3, 1964	947	6,700	174,900	338,000	23,600	20,800	800	54,203	600	80 percent, operator.	No.
Do.	Mar. 30, 1964	971	6,600	800,300	321,800	10,400	9,700	1,500	58,344	800	80 percent, operator.	No.
Timber Access Industries.	June 6, 1964	981	11,000	302,900	456,700	51,100	105,600	300	89,980	1,500	50 percent, operator.	No.
Erskine Lumber Co.	Sept. 26, 1961	39226	12,300	282,500	297,800	117,300	105,600	5,000	84,132	900	100 percent, operator.	Yes.
Moller Lumber Co.	Apr. 17, 1964	12926	5,400	110,900	229,200	52,900	37,000	5,000	45,576	5,000	0	Yes.
Timber Access Industries.	Sept. 11, 1963	830	16,800	348,400	498,100	164,300	144,300	500	183,456	5,000	0	Yes.
Cascadia Lumber Co.	May 26, 1961	39188	7,500	166,400	275,000	75,700	68,100	2,500	80,775	500	60 percent, operator.	Yes.
Timber Access Industries.	June 5, 1963	690	8,400	155,400	230,200	70,800	70,800	2,500	90,720	2,500	0	Yes.
Total			233,213	4,823,545	6,322,785	1,882,668	1,603,095	37,100		37,100		
<b>Gifford Pinchot:</b>												
Lattimer & Sons, Inc.	June 27, 1963	3-217	26,000	217,100	425,700	261,200	54,000	5,000	298,740	5,000	(?) operator	No.
U.S. Plywood	June 10, 1964	3-358	6,300	82,800	183,000	46,800	8,700	1,000	55,692	1,000	(?) operator	No.
Mount Adams Veneer	June 29, 1962	44580	23,200	138,400	514,700	314,800	64,600	5,000	234,320	5,000	(?) operator	No.
U.S. Plywood	Nov. 1, 1961	44479	22,000	189,300	263,800	238,300	198,000	5,000	138,380	5,000	(?) operator	No.
Cecil Mullins	Feb. 8, 1961	41545	3,400	34,200	53,400	33,300	30,000	4,000	21,284	4,000	(?) operator	No.
Cowlitz Studs	June 29, 1962	44583	10,400	38,300	38,300	100,500	95,000	5,000	106,912	5,000	(?) operator	No.
Total			91,300	700,100	1,479,400	994,900	450,300	25,000		25,000		
<b>Mount Hood:</b>												
Astoria Plywood Corp.	June 24, 1963	231	18,300	173,200	394,400	188,600	133,200	20,000	196,725	20,000	0	No.
Publishers Paper Co.	Aug. 4, 1960	42015	9,900	276,400	456,000	135,500	126,000	1,000	82,071	1,000	20 percent, operator.	No.
Do.	June 7, 1962	44285	10,800	100,000	232,700	99,500	79,600	500	112,336	500	0	Yes.
Do.	Dec. 13, 1962	6-50	6,900	93,700	162,500	34,900	17,500	2,000	76,107	2,000	0	No.
Jefferson Plywood Co.	June 26, 1963	6-240	10,700	120,600	194,300	51,300	48,900	1,500	101,757	1,500	0	No.
Alford Logging Co., Inc.	Sept. 19, 1963	6-260	3,600	32,500	32,500	12,100	6,100	500	34,200	500	0	No.

Mountain Fir Lumber Co.	Aug. 16, 1961	6-42149	10,000	62,400	57,600	51,800	1,000	54,852	1,000	0	No.
Glen E. Park	June 30, 1964	6-482	9,700	88,500	75,000	45,000	1,000	91,559	1,000	0	No.
Publishers Paper Co.	May 16, 1963	6-197	6,600	32,800	33,900	29,900	500	64,284	500	0	No.
Simpson Timber Co.	June 19, 1963	6-232	3,600	45,900	16,400	900	500	37,798	500	0	No.
Mountain Fir Lumber Co.	May 25, 1964	6-414	6,000	67,300	21,800	2,200	1,000	64,260	1,000	0	No.
Do.	June 12, 1963	6-228	6,900	157,600	31,800	7,800	500	72,293	500	0	No.
Avision Lumber Co.	Mar. 11, 1960	6-41982	7,400	53,400	54,000	50,000	1,000	53,354	1,000	0	No.
A. J. Larsen Lumber Co.	Aug. 14, 1961	6-44151	9,000	102,700	74,100	70,000	500	56,518	500	0	No.
Balberg Timber Co.	May 9, 1963	6-195	10,300	245,600	411,400	57,200	2,000	105,369	11,000	0	No.
Publishers Paper Co.	June 26, 1963	6-241	6,300	89,650	67,600	47,000	3,000	67,032	3,000	0	No.
Total			136,000	1,662,400	1,015,700	756,000	36,500	45,500			
Fremont:											
Adams Lumber Co.	June 29, 1964	2119	19,200	252,070	55,218	11,044	1,000	25,207	1,000	0	No.
E. H. & H. H. Lovenor	Sept. 18, 1961	43180	16,500	157,490	102,867	61,720	2,000	18,899	2,000	0	No.
Fremont Sawmill	Nov. 18, 1963	2-74	12,500	210,178	62,920	52,628	1,500	27,823	1,500	0	No.
Do.	May 25, 1964	2-93	11,000	140,540	99,804	89,824	3,000	14,054	3,000	0	No.
Adams Lumber Co.	May 9, 1963	2-24	11,400	102,340	53,895	51,700	1,000	28,851	1,000	0	No.
Fremont & Klamath Lumber & Box.	June 29, 1962	45-976	10,100	204,525	40,963	38,914	2,000	18,407	2,000	0	No.
Total			80,700	1,157,143	415,667	305,830	10,500	10,500			
Siskiyou:											
South Coast Lumber	June 29, 1964	11-202	6,000	52,200	98,296	41,160	15,223	56,220	13,223	0	No.
Do.	June 17, 1963	11-98	9,500	68,970	120,328	91,380	700	104,310	700	100 percent purchaser.	Yes.
Brookings Plywood	Nov. 27, 1963	11-92	8,900	146,316	69,043	66,972	400	103,329	400	0	No.
Cabax Mill	June 29, 1964	11-208	1,800	38,707	15,696	13,000	500	16,668	500	100 percent purchaser.	Yes.
U.S. Plywood	Dec. 28, 1961	44-393	9,500	181,530	70,238	65,975	3,660	115,045	3,660	100 percent purchaser.	No.
Western States Plywood	June 26, 1962	44-433	19,700	146,480	270,134	264,480	10,000	228,914	10,000	12 percent purchaser.	No.
Brookings Plywood	June 29, 1964	11-204	8,000	122,384	99,536	3,594	1,100	91,280	1,100	0	No.
Western States Plywood	Dec. 30, 1963	11-163	4,900	69,214	175,842	61,906	162	53,557	162	1 percent purchaser.	No.
Evans Products	June 8, 1962	44-417	9,900	49,500	95,859	682	1,000	101,673	1,000	80 percent purchaser.	Yes.
South Oregon Plywood	June 27, 1963	11-108	4,200	106,728	24,191	23,000	300	44,646	300	100 percent purchaser.	Yes.
Cabax Mill	June 20, 1963	11-101	4,000	56,884	30,542	28,000	200	36,560	600	0	No.
Do.	Jan. 9, 1963	11-34	11,200	138,067	80,840	64,000	100	118,272	100	0	No.
Georgia Pacific	Sept. 15, 1964	11-226	24,200	675,094	69,665	9,718	9,718	257,246	10,500	0	No.
Total			121,800	1,872,074	1,106,274	735,867	43,063	42,245			
Ochoco: No damage to report.											
Umatilla:											
Harris Pine	Feb. 11, 1963	46-081	13,400	102,384	123,096	88,000	2,400	123,816	2,400	0	No.
Kingham Corp.	Aug. 23, 1963	46-138	14,000	83,399	71,239	54,769	1,500	121,100	1,500	0	No.
Bols Cascade	June 29, 1964	46-201	10,700	26,886	16,929	14,700	1,000	80,250	1,000	0	No.
Oscar Carpenter	Feb. 21, 1963	460-83	9,800	32,041	14,563	6,500	1,500	91,826	1,500	0	No.



*Flood damage sustained on purchaser roads not accepted by the Forest Service as a result of the December 1964 and January 1965 floods in Oregon, Washington, Idaho, California, and Montana—Continued*

Forest and company name	Sale date and number	Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost of 10b roads	Value of road construction accomplished, Dec. 24, 1964	Estimated purchaser loss due to floods	Profit and risk allowance in appraisal (percent)	Estimated cost to repair road	Percent road damage repaired—by whom	Is road now being used for log hauling
Umatilla—Continued Walla Walla Mills.....	Aug. 14, 1961	12,600	95,280	95,285	85,640	71,938	500	95,382	500	0	No.
Total.....		60,500	339,990	440,025	311,467	235,907	6,900		6,900	0	No.
Wellowe-Whitman: Boise Cascade.	Nov. 18, 1963	23,000	97,665	97,665	119,528	65,400	4,000	218,730	4,000	0	No.
Shoquahmie: W. H. Storey.....	May 19, 1961	7.0	42,720	87,664	98,110	93,747	300		1,470		
Scott Paper Co.....	June 28, 1963	18.7	99,247	99,692	7,745	7,590	125		125		
Total.....		25.7	141,967	187,356	105,855	101,337	425		1,595		
Rouge River: Double Dee.....	Feb. 5, 1962	2,860	9,740	9,748	39,807	39,807	850	24,653	850	No.	No.
Do.....	June 14, 1962	9,510	37,880	37,918	126,266	115,000	11,581	81,148	11,581	0	No.
Do.....	June 15, 1964	4,510	75,752	75,785	21,679	7,000	1,000	36,756	1,000	0	No.
Do.....	June 4, 1964	5,440	82,907	82,921	39,876	35,000	600	32,357	600	0	No.
Do.....	June 7, 1963	7,220	60,451	60,487	94,992	76,000	1,000	62,020	1,000	100 percent purchaser.	No.
Mountain Fir.....											
Do.....	Feb. 17, 1964	5,656	133,633	203,764	27,932	23,700	609	51,358	609	75 percent purchaser.	No.
S. H. & W. Lumber Co.....	July 24, 1964	1,230	15,434	26,885	2,417	1,800	1,000	10,135	1,000	0	No.
John Wheeler Logging.....	July 1, 1960	19,000	148,460	385,015	119,844	107,000	1,700	104,442	1,700	0	No.
Southern Oregon Plywood.....	Jan. 15, 1963	3,950	109,146	109,239	125,254	125,254	500	106,210	500	0	No.
Olson Lumber.....	Dec. 23, 1963	3,050	5,505	51,045	18,867	18,867	2,000	28,822	2,000	0	No.
Fir Plywood.....	May 19, 1964	4,170	26,592	112,108	23,245	23,245	2,500	31,984	2,500	0	No.
S. & W. Logging.....	June 26, 1964	3,810	60,548	40,590	18,737	12,000	3,500	32,728	3,500	0	No.
S. O. Wilson.....	Sept. 24, 1963	3,900	18,056	18,076	32,699	28,500	3,000	37,986	3,000	0	No.
Elk Lumber Co.....	Jan. 31, 1964	2,320	47,351	94,600	5,752	5,752	500	24,824	500	0	No.
Medford Timber Co.....	June 11, 1962	8,980	65,600	76,828	52,176	52,176	3,000	85,490	3,000	0	No.
Do.....	Apr. 30, 1964	10,640	76,860	79,610	52,926	52,926	3,000	75,650	3,000	0	No.
Do.....	June 25, 1963	2,170	25,783	25,783	2,126	2,020	150	22,221	150	0	No.
Do.....	Dec. 5, 1963	3,670	39,973	40,691	8,468	8,468	100	35,159	100	0	No.
Olson Lawyer.....	June 27, 1963	12,000	190,279	193,577	32,760	31,120	100	111,264	100	0	No.
Do.....	June 29, 1962	20,000	131,885	162,245	156,372	111,024	2,000	206,800	2,000	0	No.
Do.....	Mar. 27, 1964	3,870	159,949	187,087	11,166	11,166	1,500	38,042	1,500	90 percent purchaser.	No.
Do.....	Apr. 8, 1964	6,800	105,793	187,087	32,171	22,200	250	66,028	250	0	No.
Do.....	June 22, 1964	11,000	119,786	125,546	83,954	63,730	750	92,840	750	0	No.
Do.....	Aug. 25, 1964	12,700	199,123	204,508	90,134	21,630	500	122,809	500	0	No.

S. O. Wilson.....	June 28, 1960	41-736	8,500	141,145	169,295	116,189	109,220	1,250	69,445	1,250	0.....	No.
Do.....	June 25, 1964	10-316	14,600	106,170	106,185	117,341	95,050	200	118,406	200	0.....	No.
Total.....			197,306	2,217,600	2,832,200	1,453,150	1,199,232	42,140		42,140		
Willamette:												
Simpson Timber.....	June 20, 1963	18-131	10,500	75,218	232,798	80,000	39,000	5,000	104,181	6,000	0.....	No.
Young & Morgan.....	Dec. 31, 1963	18-234	8,000	99,602	145,485	32,200	16,800	4,000	72,885	5,500	5 percent, purchaser.	Yes.
Do.....	June 28, 1963	18-110	21,500	428,217	780,027	10,000	5,000	650	206,292	650	100 percent, purchaser.	Yes.
Do.....	Apr. 30, 1964	18-352	5,400	83,678	209,648	15,000	12,000	12,500	52,963	12,500	50 percent, purchaser.	Yes.
Simpson Timber.....	Dec. 31, 1962	18-39	4,700	64,705	64,895	44,285	28,790	5,000	61,709	5,000	60 percent, purchaser.	Yes.
Young & Morgan.....	Dec. 31, 1963	18-347	14,300	267,308	465,218	82,682	24,810	6,250	129,658	6,250	0 percent.	No.
Simpson Timber.....	June 26, 1964	18-410	2,050	26,940	64,110	5,500	5,000	500	210,255	500	0.....	No.
Do.....	June 23, 1962	44-761	9,400	67,688	111,460	5,000	5,000	500	100,361	500	100 percent, purchaser.	Yes.
Young & Morgan.....	Dec. 3, 1963	18-244	2,640	33,509	66,759	2,000	1,500	500	31,165	500	0.....	No.
U.S. Plywood.....	June 20, 1962	44-742	14,600	37,600	38,020	30,000	25,200	2,500	154,819	3,000	0.....	No.
Schneider.....	Nov. 16, 1962	18-49	11,300	110,835	252,585	54,000	36,400	1,400	105,667	2,000	40 percent, purchaser.	No.
Willamette Valley.....	Jan. 23, 1963	18-73	20,800	267,682	518,187	73,000	59,000	10,100	239,166	13,600	0.....	No.
Do.....	July 17, 1963	18-226	14,500	135,812	335,812	100,000	24,000	1,500	162,701	1,800	0.....	No.
Do.....	June 26, 1963	18-222	4,100	31,181	58,586	40,000	37,000	800	31,181	900	0.....	No.
Do.....	July 17, 1963	18-227	10,700	138,341	268,656	30,000	24,000	1,500	113,324	1,700	60 percent, purchaser.	No.
Leading Plywood.....	Dec. 4, 1963	18-270	2,900	51,611	91,911	5,000	4,000	400	31,335	500	0.....	No.
Willamette Valley.....	Oct. 22, 1964	18-533	7,300	198,283	288,843	31,000	12,000	400	74,764	600	0.....	No.
U.S. Plywood.....	June 2, 1963	18-217	10,700	222,190	356,015	109,764	98,788	2,500	113,595	2,500	100 percent, purchaser.	No.
Hines Lumber Co.....	June 6, 1963	18-198	5,200	65,470	65,470	71,627	68,045	10,000	57,551	10,000	50 percent.	Yes.
Do.....	June 5, 1964	18-438	14,400	399,042	745,422	73,624	58,899	1,000	125,106	1,000	100 percent, purchaser.	Yes.
Hines Lumber Co.....	June 2, 1959	35-572	4,200	1,357,735	1,609,570	388,183	349,365	6,000	295,593	6,000	0.....	No.
DeFoe Logging.....	Jan. 10, 1964	18-365	7,900	48,078	131,018	162,089	129,671	42,000	81,397	42,000	100 percent, purchaser.	Yes.
Hines Lumber Co.....	June 24, 1963	18-233	5,100	60,996	105,216	89,406	80,465	20,000	56,169	20,000	20 percent, purchaser.	Yes.
Camar Veneer.....	Nov. 20, 1963	18-334	3,300	80,571	131,451	25,623	24,342	1,000	48,648	1,000	0.....	No.
Goshen Veneer.....	Apr. 22, 1964	18-417	14,800	440,912	700,287	32,748	29,473	400	145,221	400	0.....	No.
Barker Willamette Lumber Co.....	June 26, 1963	18-283	9,200	212,237	346,547	49,099	39,279	800	95,990	800	100 percent, purchaser.	Yes.
Hines Lumber Co.....	Aug. 19, 1960	42-425	9,200	205,805	252,205	137,046	130,194	25,800	67,187	25,800	0.....	No.
Seneca Sawmill.....	Dec. 27, 1963	18-345	13,600	280,508	595,688	123,138	110,824	5,500	132,946	5,500	0.....	No.
Kimball Brothers.....	June 20, 1963	18-216	14,100	363,748	654,998	91,245	86,683	1,200	141,713	1,200	100 percent, purchaser.	Yes.
Seneca.....	May 23, 1962	44-747	9,200	118,140	118,560	96,762	91,924	1,300	86,708	1,300	100 percent, purchaser.	Yes.
Hill's Creek Lumber Co.....	June 21, 1963	18-219	6,500	105,807	188,367	75,825	60,000	4,000	67,927	5,000	0.....	No.
Natron Plywood.....	Dec. 17, 1962	18-90	3,700	71,747	123,563	41,531	40,000	1,000	43,711	3,000	0.....	No.
Seneca.....	June 22, 1962	44-773	10,600	58,200	125,700	138,443	80,000	1,000	139,751	2,000	0.....	No.



*Flood damage sustained on purchaser roads not accepted by the Forest Service as a result of the December 1964 and January 1965 floods in Oregon, Washington, Idaho, California, and Montana—Continued*

Forest and company name	Sale date and number	Total sold volume (million board feet)	Appraised value of timber	Bid value of timber	Appraised estimate of cost of 10b roads	Value of road construction accomplished, Dec. 24, 1964	Estimated purchaser loss due to floods	Profit and risk allowance in appraisal (percent)	Estimated cost to repair road	Percent road damage repaired—by whom	Is road now being used for log hauling
Willamette—Continued											
Natron Plywood	Dec. 31, 1962	12, 200	116, 644	241, 769	235, 185	100, 000	2, 000	126, 735	3, 000	20 percent, purchaser.	No.
Do.	18-112										
Pope & Talbot	June 21, 1963	6, 100	40, 993	92, 743	126, 520	50, 000	1, 000	64, 160	1, 500	0	No.
	18-220										
	June 28, 1963	9, 400	73, 229	73, 229	240, 373	225, 000	4, 000	95, 900	5, 000	100 percent, purchaser.	Yes.
	18-255										
Leading Plywood	June 27, 1961	10, 500	94, 407	94, 407	196, 197	185, 000	8, 000	94, 287	10, 000	0	No.
	48-117										
Natron Plywood	Apr. 16, 1963	5, 500	70, 084	70, 304	69, 500	60, 000	3, 000	55, 703	5, 000	100 percent, purchaser.	Yes.
	18-144										
Vancouver Plywood	May 7, 1962	12, 400	231, 070	500, 170	82, 730	80, 000	1, 000	125, 054	1, 000	0	Yes.
	44-734										
Willamette Valley Lumber	June 30, 1964	6, 800	74, 156	195, 366	62, 561	32, 000	500	60, 925	500	0	No.
	18-480										
Blue River Denelr	June 30, 1964	12, 400	154, 263	320, 583	93, 698	73, 000	200	109, 531	200	30 percent, purchaser.	Yes.
	18-478										
Barber-Willamette Lumber Co.	Mar. 26, 1962	19, 000	376, 630	628, 820	111, 690	110, 000	2, 000	194, 942	2, 000	0	No.
	44-704										
Rosvoro Lumber	Dec. 31, 1962	6, 000	102, 433	187, 666	61, 145	58, 000	800	73, 914	800	100 percent, purchaser.	Yes.
	18-150										
Snellstrom	May 31, 1962	11, 200	120, 690	330, 770	124, 850	112, 000	2, 200	134, 661	2, 200	do	Yes.
	44-750										
Georgia Pacific	Oct. 31, 1961	6, 315	82, 525	98, 707	124, 328	120, 000	1, 600	84, 786	1, 600	do	Yes.
	42-437										
Shipler	June 30, 1964	6, 400	133, 922	276, 067	31, 576	28, 500	1, 500	67, 998	1, 500	do	Yes.
	18-474										
Timber Access	Dec. 31, 1963	9, 000	143, 652	368, 532	85, 129	82, 000	1, 200	100, 913	1, 200	do	Yes.
	18-367										
Rookard Logging	June 14, 1963	7, 500	127, 732	152, 322	81, 514	40, 500	600	83, 273	600	do	Yes.
	18-213										
Cuddeback Lumber	June 5, 1963	10, 750	139, 378	314, 933	160, 817	150, 000	300	119, 335	300	do	Yes.
	18-190										
Do	Dec. 31, 1962	6, 200	128, 873	198, 530	104, 956	52, 000	200	83, 446	200	do	Yes.
	48-09										
Giustina Bros.	Dec. 29, 1962	6, 500	105, 900	198, 530	98, 322	95, 000	800	73, 980	800	do	No.
	44-788										
Timber Access	Dec. 31, 1962	9, 600	212, 966	431, 366	89, 952	72, 000	400	119, 252	400	100 percent, purchaser.	Yes.
	18-101										
McKenzie River	June 30, 1960	17, 000	375, 055	598, 655	275, 691	200, 000	10, 000	132, 155	12, 500	0	No.
	42-414										
Balsiger Logging	Aug. 15, 1961	3, 300	39, 231	43, 686	50, 668	4, 500	3, 000	227, 601	3, 000	0	No.
	43-133										
Cuddeback	Nov. 5, 1962	5, 900	39, 873	103, 810	46, 605	10, 000	2, 500	59, 609	2, 500	0	No.
	18-82										
Vancouver Plywood	June 29, 1962	12, 900	80, 675	85, 675	122, 674	118, 000	10, 000	122, 980	10, 000	0	No.
	44-790										
Blue River	Sept. 26, 1963	18, 700	263, 243	263, 558	240, 132	235, 000	4, 000	203, 801	4, 000	50 percent, purchaser.	Yes.
	18-299										
Seneca	June 30, 1964	43, 200	392, 378	1, 116, 423	586, 254	75, 000	2, 000	387, 954	2, 000	80 percent, purchaser.	Yes.
	18-463										
Cuddeback	Mar. 2, 1964	13, 100	174, 780	475, 365	120, 817	12, 000	800	142, 769	800	90 percent, purchaser.	Yes.
	18-399										
Total		594, 255	10, 028, 100	17, 635, 850	5, 983, 704	4, 252, 952	240, 600		261, 600		

Senator BAYH. We have the first 15-percent cost to the operator, the next \$1,000 by the Government, and the balance 50-50. Where did we arrive at that formula, please? How? What justification do we have for that specific formula?

Mr. NELSON. Mr. Greeley will talk to that subject.

Mr. GREELEY. Senator, if I may respond this way: There have been in the course of discussions prior to testimony today a rather large number of proposals made and counterproposals made.

The thinking of the group which developed this proposal was about this. If I may take it in segments, first, the \$500 minimum would be just that, a minimum. There is a need to differentiate between routine damage that might be classed as heavy winter maintenance and damage which is more than heavy winter maintenance, so that something should be done about it under the terms of a bill of this sort. It was the thought that \$500 was a rather reasonable place to draw this line.

Then the 15 percent was developed about this way: The appraisals on which the value of national forest timber is based make an allowance for road costs. This is one of the things that is included in the appraisal.

Then at another point in the appraisal, there is an allowance for profit and risk which ranges between 10 and 15 percent. This is a normal part of every appraisal made to determine the price at which timber is advertised for sale.

Senator BAYH. Could you explain the difference between profit and risk? Is there a 10 or 15 percent inclusion for both?

Mr. GREELEY. No, both profit and risk are covered by the one item. There is not a differentiation between profit and risk in the way the figure is developed and used in our timber appraisal.

The way we think about this 15 percent, sir, is—this would be the equivalent of requesting that the purchaser do the needed reconstruction work without having the equivalent of a profit and risk allowance in the estimated cost of the work for the portion which would be reconstructed.

Those are two segments. There is the \$500 and that is the rationale on the 15 percent.

Then as far as the remainder is concerned, the thinking of the group which developed this formula was that this is a matter where there is interest and concern and risk on the part of both parties, and 50-50 is a very common way of splitting that sort of interest and concern.

That about summarizes the thinking which was behind this formula, sir.

Senator BAYH. The 50-50 makes good commonsense. I am sure that to those of you more familiar with this than I it is clear, but I did not understand how you described how the \$1,000 got in the picture.

Mr. GREELEY. Excuse me. I did omit that. You are correct in picking me up on this.

The formula would not come into operation if estimated damage is less than \$500. The case just does not get consideration. If the estimate of damage is over \$500, the purchasers would pay the first 15 percent of the estimated cost to be incurred for repairing the damaged portion of the road. Above that, the next segment of \$1,000, the Government would pay. This was a recognition that in effect there are a good many operators who have financing difficulty. Witnesses earlier here today have described the dilemma of small opera-



tors whose credit resources are pretty well extended most of the time. There are in both the national forest areas affected by this damage and in some of the other Federal areas affected by this damage a rather large number of small operators responsible for roads having damage estimated at between \$1,000 and \$2,000 who will have difficulty financing these repairs.

So this part of the formula was a recognition that we have a large number of small operators who we felt should have this special kind of attention and special kind of consideration.

Then the 50-50 split goes above that.

Senator BAYH. The profit and risk, do these contracts permit a profit in building the road, or are you talking about profit and risk for the whole contract?

Mr. GREELEY. I am talking about the allowance for profit and risk for the whole appraisal. We do not differentiate in our timber appraisals an element of profit and risk for the various cost elements involved.

When we go through the process of making an appraisal, after all the cost elements have been figured out, one of the entries that is made in the appraisal is an allowance for profit and risk for the whole appraisal.

But because it is made that way, you could argue that there is an equivalent of that much allowance for profit and risk that would go back against each of the cost elements in the appraisal.

Senator BAYH. I suppose the size of the contracts vary.

Mr. GREELEY. Yes. The contracts that are involved in this kind of damage, sir, for purposes of discussion, say there are 340 contracts involved on the national forests. It is about that number. They range from small ones for just a few million board feet of timber up to contracts with 15 and 20 and 25 million board feet of timber.

Senator BAYH. Is the cost of the road contemplated in the agreement usually related directly to the size of the contract, or difficulty of access, or what?

Mr. GREELEY. There is a connection, but there is also quite a lot of variation. When we design a sale of timber, one of the elements of design is to so put the sale together that the timber values can carry the road costs.

This comes in all kinds of combinations and sometimes a rather inaccessible piece of timber with a high road cost may take a larger volume of timber to carry the road costs than would be necessary for a lower road cost and a shorter length of road.

We asked our field people for some examples where flood damage to roads was known. In 10 examples that they sent in, damages ranged from \$2,500 in one case to as much as \$152,000, also \$168,000; and there is here the \$102,000 figure referred to earlier.

Senator BAYH. Fifteen percent of that is no small amount.

Mr. GREELEY. That is correct, sir. It would be a rather high figure.

Senator BAYH. What would be the impact on the job you are trying to do of putting it on a straight 50-50 basis?

Mr. GREELEY. Right offhand, I would say it would make it easier to administer.

In some of the larger contracts, sir, take this one with \$102,800 of estimated damage, on the basis of the formula as proposed, the operator would pay \$58,600, and the Government would pay \$44,200.

Put it on the straight 50-50 basis, and that would mean they would pay about \$51,000 each.

On some of the smaller ones, it would work the other way. Here is one for \$2,500. The operator in this case would pay around \$840, and the Government would pay around \$1,560.

Some of them are in between. Here is a figure of \$15,000 damage, and for this the operator would pay \$8,115, and the Government would pay \$6,875.

Clearly, under the formula we propose, the higher the dollar amount of the damage, the larger the share of it that the operator would pay.

Senator BAYH. It is the large losses that Mr. Hagenstein pointed out that concern me, about the 15 percent.

The 7 days which Mr. Nelson referred to, is this adequate time to do the job, as far as notice?

Mr. NELSON. Mr. Greeley can answer that, too. He handles the timber sale business.

Mr. GREELEY. Mr. Chairman, the law under which we operate requires 30 days' advertising and, of course, our operators are accustomed to our advertising practices.

We did quite a lot of puzzling as to whether we properly should ask for this authority before we requested it. We think it would be an important additional tool in the kit of tools that will be necessary to get logs coming out of the woods this spring.

We would want to use it sparingly, and with recognition that in an industry that is accustomed to having a 30-day notification, we would have to take some special precautions, such as telephoning occasionally, to let a sufficient number of operators know about a sale that we are proposing to advertise for only 7 days.

But we still think this would be a very desirable thing to be in a better position to move rapidly on alternate sales in order to keep timber moving and to keep communities operating this spring.

Senator BAYH. We have had some concern here because of the delays, and I am certain you have heard a couple of questions asked.

Do you know who at the Bureau of the Budget handled this legislation for your agency?

Mr. NELSON. This is coordinated with all of the various examiners. I do not know who handles the final word on it.

I do want to say one thing, though, Mr. Chairman. The delay in acting on this bill has not caused any delay in getting started in the repair of the roads in the flood area.

We programed part of the work, and the Bureau of Budget immediately released \$8.4 million, and later authorized us to borrow contracting authorizations for next year.

We anticipate and feel the need for \$13 million of contracting work to be done before July 1. We have that authority and are moving ahead on that program.

So we do not need authority here, other than what we are talking about to relieve the timber operators.

Senator BAYH. When did the Department of Agriculture make its recommendations to the Bureau of the Budget?



Mr. NELSON. I do not have the date on that, but I know the Forest Service made their recommendation on January 28. It was about 10 days after we got the request from this committee.

Sometimes the actual dates of transmittal of recommendation do not mean too much, or that nothing has gone on in between time. There is a lot of work that has gone on including meeting and conversations between the various levels prior to actual recommendations.

Senator BAYH. Thank you very much, gentlemen, for letting us have your thoughts on this. We appreciate it very much.

Mr. NELSON. Thank you.

Senator BAYH. The Department of Agriculture has just called and asked that the committee receive testimony from Mr. David Askegaard.

Do you have a prepared statement, sir?

Mr. ASKEGAARD. No, sir.

If the committee has questions, I would attempt to answer them. I have no prepared statement.

Senator BAYH. This part of the Morse bill would be referred to another committee, and because of the lateness of the hour, unless you have a prepared statement you would like to introduce, or feel free to introduce one later, we will just thank you for coming.

I do not think there is any need to ask any questions.

Mr. ASKEGAARD. Thank you.

Senator BAYH. Mr. Jack Frost, of the Farmers Home Administration.

Mr. FROST. Same situation.

Senator BAYH. Again, this provision we intend to ask another committee to discuss its ramifications, so thank you for coming.

If you care to submit a statement later, we will be glad to have it.

Mr. FROST. Thank you, sir.

Senator BAYH. We have two other witnesses. I would just like to go through and ask their indulgence, and get this out of the way.

Our next witness will be Mr. Robert E. Wolf, assistant to the Director of the Bureau of Land Management of the Department of the Interior.

We would like to ask you, sir, if we could submit to you the same set of questions we submitted to Mr. Nelson, and have the answers printed in the record.

STATEMENT OF ROBERT WOLF, ASSISTANT TO THE DIRECTOR, BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR; ACCOMPANIED BY FREDERICK FISHMAN, ATTORNEY, LEGISLATIVE COUNSEL'S OFFICE, DEPARTMENT OF THE INTERIOR; AND ARCHIE CRAFT, CHIEF, FORESTRY STAFF, BUREAU OF LAND MANAGEMENT

Mr. WOLF. That will be done.

(Subsequently the following communication containing the information requested was received:)

DEPARTMENT OF THE INTERIOR,  
BUREAU OF LAND MANAGEMENT,  
Washington, D.C., April 5, 1965.

Hon. JENNINGS RANDOLPH,  
Chairman, Subcommittee on Roads, Senate Committee on Public Works, U.S. Senate, Washington, D.C.

DEAR SENATOR RANDOLPH: At the hearing on April 1 concerning S. 327, your Roads Subcommittee requested certain specific data concerning damages suffered by roads required to be constructed by purchasers of timber from the Bureau of Land Management. The data sought related to the States of Washington, Oregon, California, and Idaho.

The information covering 224 timber sale contracts with flood damage to roads is enclosed. The data indicates that the restoration and reconstruction of timber roads in Oregon damaged by the floods would cost on the order of \$1,235,000. Available information does not disclose any flood damage to timber-purchaser roads in the other three States.

Tables containing the requested data are enclosed. The columns on the tables reflect the following:

<i>Col. No.</i>	<i>Subject item</i>
(1)-----	"Purchaser." Name of purchaser.
(2)-----	"Contract No." Only the district code number and the specific contract identification number are shown. Full identification requires the prefix code 14-11-0001 to be added.
(3)-----	"Purchase date." Date contract was made and entered into.
(4)-----	"Volume sold." Advertised volume in thousand board feet.
(5)-----	"Appraised price." Advertised appraised price of timber rounded off to nearest dollar.
(6)-----	"Bid price." Contract price of timber rounded off to nearest dollar.
(7)-----	"Road construction, estimate, \$1,000." Total dollar appraisal allowance for road construction rounded to nearest \$1,000.
(8)-----	"Value of road construction to flood date, \$1,000." Total dollar value of road construction completed prior to flood rounded to nearest \$1,000.
(9)-----	"Road loss from flood estimate, \$1,000." Dollar estimate of flood damage to roads constructed by purchaser or roads maintained by purchaser rounded to nearest \$1,000. In many cases, as footnoted on table, the estimates include damage to existing roads for which the operator has a maintenance responsibility.



<i>Col. No.</i>	<i>Subject item</i>
(10)-----	"Profit and risk allowed in timber appraisal." This value equates to the total dollar allowance for profit and risk. Items in "operator's 50 percent" of the conversion return other than purchaser profit include: Income taxes; product and manufacturing research and development; interest on borrowed capital; subcontractor profit; timber quality and volume risk; road construction risk; and product market risk.
(11)-----	"Road repair cost estimate, \$1,000." Estimated costs of repair of purchaser constructed or maintained roads rounded to the nearest \$1,000. In some instances, the cost of repair may be greater than the estimated cost of damage because reconstruction is more difficult. This responds to item 10 of your list.
(12)-----	"Road has been repaired, in full." Self-explanatory.
(13)-----	"Road has been repaired, in part." Self-explanatory.
(14)-----	"Road has been repaired, by." Indicates whether purchaser, BLM or BPR has made repairs.
(15)-----	"Road is being used for log hauling, yes." Self-explanatory.
(16)-----	"Road is being used for log hauling, no." Self-explanatory.

Explanation footnotes are shown on the reverse sides of the tables.

Thank you for affording us the opportunity to set forth the pertinent facts.

Sincerely yours,

EUGENE V. ZUMWALT,  
*Acting Director.*

## December 1964 flood damage to roads under timber sale contract

## DISTRICT, SALEM, OREG.

Purchaser	Contract No. (14)	Purchase date	Volume sold, (MBF) (4)	Appraised price (5)	Bid price (6)	Road construction estimate (thousands) (7)	Value of road construction to flood date (thousands) (8)	Road loss from flood estimate (thousands) (9)	Profit and risk allowed in timber appraisal (10)	Road repair estimate (thousands) (11)	Road has been repaired—			Road is being used for log hauling	
											In full (12)	In part (13)	By (14)	Yes (15)	No (16)
Simpson Timber Co.	908	Nov. 15, 1962	8,556	\$137,964	\$139,820	\$81	\$47	\$40	\$137,964	1		X	Purchaser	X	
Oregon-Washington Plywood.	918	Dec. 21, 1962	9,952	107,135	107,135	106	99	30	107,135	30					X
Simpson Timber Co.	1284	Aug. 27, 1964	7,182	153,596	230,468	39	23	21	153,496	21					X
Rex Clemens	615	June 21, 1960	7,066	172,249	335,479	45	45	20	172,249	20					X
U.S. Plywood Corp.	851	May 15, 1962	4,462	287,000	287,000	35	30	18	87,000	18		X	BLM		X
Simpson Timber Co.	808	Mar. 1, 1962	14,382	294,460	371,825	56	36	17	294,460	17					X
Cedar Lumber, Inc.	1196	Jan. 6, 1964	2,551	58,007	84,298	19	19	12	58,007	12			Willamette Valley Lumber		X
Simpson Timber Co.	1068	July 22, 1963	8,492	88,712	90,537	116	116	8	88,712	8		X			X
Gilmore Logging Co.	727	May 16, 1961	2,861	31,039	31,039	15	10	3	31,039	3					X
Rex Clemens	1065	July 5, 1963	6,902	52,708	52,708	128	128	3	52,708	3		X	Purchaser		X
Sweet Home Veneer, Inc.	1123	Sept. 24, 1963	13,953	248,722	248,722	49	49	3	248,722	3					X
Rex Clemens	838	Apr. 26, 1962	3,492	51,323	88,815	27	27	3	51,323	3					X
Larson Lumber Co.	676	Dec. 20, 1960	1,669	35,252	45,831	4	4	3	35,252	3					X
Willamette Valley Lumber Co.	1070	July 31, 1963	3,887	53,068	53,068	65	65	3	53,068	3					X
Forest Grove Lumber Co.	1221	Mar. 25, 1964	1,425	26,942	55,142	11	11	3	26,942	3	X		Purchaser	X	
Fort Hill Lumber Co.	850	May 15, 1962	1,750	24,000	24,000	9	9	3	24,000	3					X
Willamette Valley Lumber Co.	1182	Nov. 19, 1963	5,611	2129,000	2129,000	36	34	3	129,000	3	X		Purchaser		
North Side Lumber Co.	749	June 27, 1961	2,834	64,615	114,777	12	8	3	64,615	3					X
Crown-Zellerbach Corp.	861	June 19, 1962	12,121	169,920	252,235	41	41	2	169,920	2					X
Avision Lumber Co.	1199	Apr. 3, 1964	7,252	62,733	145,791	41	41	2	62,733	2					X
Do.	1249	May 27, 1964	10,833	235,035	235,035	14	14	2	108,173	2					X
Willamette Valley Lumber Co.	782	Oct. 17, 1961	7,355	158,000	232,500	25	25	1	158,000	1	X		Purchaser	X	
North Side Lumber Co.	1139	Nov. 13, 1963	3,452	64,052	115,550	13	13	1	64,052	1		X	BLM		X
Rex Clemens	1219	Feb. 24, 1964	5,363	89,568	116,611	61	30	1	89,568	1					X
North Side Lumber Co.	1243	Apr. 23, 1964	2,824	53,769	94,547	32	31	1	53,769	1					X
Willamette Valley Lumber Co.	923	Oct. 16, 1962	1,323	222,000	222,000	9	9	1	22,000	1	X		Purchaser	X	
Do.	841	Apr. 17, 1962	1,592	232,000	232,000	12	10	1	32,000	1	X		do.	X	
Crown-Zellerbach Corp.	1039	June 28, 1963	8,114	67,371	155,615	45	25	1	67,371	1					X
Tillamook Veneer Co.	1098	Nov. 22, 1963	2,367	52,436	52,436	4	4	1	52,436	1					

<sup>1</sup> Proposed relocation to bypass 40,000-cubic-yard slide.<sup>2</sup> These figures were inadvertently rounded to the nearest \$1,000.<sup>3</sup> Estimated cost of road repair is greater than estimated road loss (col. 9) because of greater reconstruction costs.



## December 1964 flood damage to roads under timber sale contract—Continued

DISTRICT, EUGENE, OREG.

Purchaser (1)	Contract No. (9)	Purchase date (3)	Volume sold, (MBF) (4)	Appraised price (5)	Bid price (6)	Road con- struc- tion esti- mate (thou- sands) (7)	Value of road con- struc- tion to flood date (thou- sands) (8)	Road loss from flood esti- mate (thou- sands) (9)	Profit and risk allowed in timber appraisal (10)	Road repair cost esti- mate (thou- sands) (11)	Road has been repaired—			Road is being used for log hauling	
											In full (12)	In part (13)	By (14)	Yes (15)	No (16)
Swanson Bros. Logging Co., Inc.	1183	Oct. 11, 1963	4, 033	\$83, 137	\$135, 344	0	0	1 \$20	\$83, 137	1 \$20	X		Purchaser		X
Timber Access Industries Co.	1309	June 22, 1964	6, 703	142, 782	205, 237	\$46	\$36	18	142, 782	18		X	do.	X	
International Paper Co.	800	Dec. 14, 1961	4, 319	72, 923	112, 151	57	57	15	72, 923	15	X		Purchaser	X	
Snellstrom Lumber Co.	1199	Oct. 8, 1963	10, 112	198, 735	198, 735	85	85	14	198, 735	14	X		do.	X	
Rookard Logging Co.	1051	May 17, 1963	7, 888	152, 451	152, 451	20	20	12	152, 451	12		X			X
Barker-Willamette Lumber Co., Inc.	879	June 26, 1962	3, 487	66, 934	66, 934	24	24	12	66, 934	12			Purchaser	X	
International Paper Co.	910	Oct. 10, 1962	4, 903	77, 409	113, 418	63	63	10	77, 409	10	X		Purchaser		X
Do.	1431	Sept. 30, 1964	5, 529	127, 167	203, 539	52	0	19	127, 167	19	X		Purchaser	X	
Barker-Willamette Lumber Co., Inc.	875	Aug. 22, 1962	5, 263	108, 172	168, 820	36	36	8	108, 172	8					X
International Paper Co.	1113	July 5, 1963	6, 806	146, 921	280, 531	0	0	16	146, 921	16					X
Gustina Bros. Lumber & Plywood Co.	1251	Jan. 8, 1964	736	21, 189	39, 151	0	0	14	21, 189	14					X
Timber Access Industries Co.	1102	Aug. 28, 1963	1, 550	28, 116	39, 123	6	6	14	28, 116	14					X
Lou A. Surcamp	847	Apr. 19, 1962	3, 098	55, 450	71, 227	25	25	4	71, 227	4					X
Hult Lumber & Plywood Co.	1451	Nov. 9, 1964	1, 507	38, 291	75, 118	2	2	14	38, 291	14		X	Purchaser	X	
Barker-Willamette Lumber Co., Inc.	1104	July 17, 1963	11, 955	230, 261	408, 671	40	40	4	230, 261	4					X
Timber Access Industries Co.	1197	Dec. 24, 1963	1, 893	33, 933	56, 202	6	6	14	33, 933	14		X	Purchaser		X
Do.	907	Dec. 14, 1962	4, 536	80, 653	179, 893	26	26	4	80, 653	4					X
Murphy Logging Co.	1158	Sept. 6, 1963	12, 202	222, 816	303, 888	98	98	4	222, 816	4					X
International Paper Co.	785	Oct. 19, 1961	3, 498	71, 790	82, 913	32	32	4	71, 790	4			Purchaser		X
Do.	793	Nov. 16, 1961	3, 418	66, 779	81, 702	31	31	4	66, 779	4			do.		X
Savelle Logging Co.	1157	Sept. 12, 1963	9, 456	158, 207	176, 709	57	57	3	158, 207	3				X	
L. L. A. Logging Co.	1453	Sept. 22, 1964	294	8, 497	16, 758	0	0	13	8, 497	13					X
Murphy Logging Co.	1041	Apr. 22, 1963	6, 914	146, 148	146, 148	14	14	3	146, 148	3	X		Purchaser	X	
Timber Access Industries Co.	1328	Aug. 7, 1964	10, 909	251, 056	496, 737	48	48	3	251, 056	3					X
Morrell Logging Co.	1078	May 16, 1963	8, 138	149, 114	149, 114	42	42	3	149, 114	3				X	
Murphy Logging Co.	1218	Nov. 14, 1963	5, 566	127, 693	128, 236	49	49	13	127, 693	13				X	
Douglas Fir Lumber Co.	1408	Nov. 25, 1964	904	23, 960	34, 877	2	2	2	23, 960	2					X
Timberlands Timber Co.	831	Apr. 26, 1962	1, 088	23, 572	35, 686	3	3	13	35, 686	13				X	
International Paper Co.	1182	Oct. 11, 1963	1, 595	30, 467	30, 467	3	3	3	30, 467	3					X

[illegible]

22 Conditions caused by flood will increase road construction costs.

<sup>1</sup> Road loss from flood estimate (col. 9) and road repair cost estimate (col. 11) include damages to existing roads for which the purchaser has a contractual road maintenance obligation.



## December 1964 flood damage to roads under timber sale contract—Continued

## DISTRICT, ROSEBURG, OREG.

Purchaser (1)	Contract No. (13)	Purchase date (3)	Volume sold, (MBF) (4)	Appraised price (5)	Bid price (6)	Road con- struc- tion esti- mate (thou- sands) (7)	Value of road con- struc- tion to flood date (thou- sands) (8)	Road loss from flood esti- mate (thou- sands) (9)	Profit and risk allowed in timber appraisal (10)	Road repair cost esti- mate (thou- sands) (11)	Road has been repaired—			Road is being used for log hauling	
											In full (12)	In part (13)	By (14)	Yes (15)	No (16)
Fir Ply Co.	1113	Aug. 14, 1964	5,424	\$96,476	\$119,478	\$40	\$40	\$11	\$96,476	\$11		X <sup>1</sup>	Purchaser	X	X
Douglas County Lumber Co.	1027	Mar. 13, 1964	2,338	44,353	49,842	27	27	4	44,353	4		X <sup>2</sup>	Purchaser		X
Woolley Logging Co.	941	Aug. 9, 1963	4,544	76,222	76,222	31	31	4	76,222	4					X
Green Valley Lumber Co.	871	May 10, 1963	5,162	83,285	83,285	39	39	3	83,285	3	X		Purchaser	X	
Woolley Logging Co.	765	Aug. 17, 1962	7,826	140,404	140,404	73	73	3	140,404	3		X <sup>3</sup>	BLM		X
C. & D. Lumber Co.	922	July 23, 1963	5,289	70,653	70,653	57		2	70,653	2					X
Round Prairie Lumber Co.	1043	Apr. 10, 1964	3,902	69,912	70,452	30	30	2	69,912	2					X
Douglas County Lumber Co.	1029	Mar. 13, 1964	5,506	11,597	12,423			4	11,597	4	X		Purchaser	X	X
Woolley Logging Co.	830	July 26, 1963	6,726	115,529	115,529	64	57	2	115,529	2					X
National Plywood, Inc.	694	Mar. 2, 1962	9,196	153,473	156,598	47	47	2	153,473	2			Purchaser		X
Green Valley Lumber Co.	1121	Sept. 25, 1964	4,968	105,144	142,343	39	39	1	105,144	1		X <sup>6</sup>	Purchaser		X
Woolley Logging Co.	1000	Jan. 10, 1964	6,651	121,802	121,802	157	157	1	121,802	1	X		do.		X
L. & H. Lumber Co.	939	Aug. 9, 1963	14,165	189,137	189,137	10	10	1	189,137	1				X	X
Roseburg Lumber Co.	1075	June 12, 1964	4,429	107,774	107,774	9	9	1	107,774	1	X		Purchaser	X	
Round Prairie Lumber Co.	1016	Feb. 14, 1963	2,631	49,641	50,279	26	26	1	49,641	1	X		do.	X	
The Martin Bros. Container & Timber Products Corp.	738	July 13, 1962	5,201	91,149	91,149				91,149						
U.S. Plywood Corp.	779	Oct. 12, 1962	6,991	124,575	124,575	45	45	1	124,575	1		X <sup>7</sup>	do.		X
Do.	940	Aug. 9, 1963	10,421	153,141	153,141	58	48	1	153,141	1					X
Eugene Veneer Co.	756	July 13, 1962	2,394	43,063	43,063	13	13	1	43,063	1					X
Roseburg Lumber Co.	1094	July 10, 1964	2,523	55,060	78,899	14	14	1	55,060	1			BLM	X	
Beebe Bros.	1136	Nov. 13, 1964	7,281	7,284	9,813			8	7,284	8	X				
Woolley Logging Co.	1090	July 14, 1964	7,337	144,670	144,670	32	16	1	144,670	1			Purchaser	X	
National Plywood, Inc.	1026	Mar. 13, 1964	4,250	73,904	73,904	37	37	1	73,904	1	X		do.	X	
Sun Studs, Inc.	1061	May 8, 1964	5,735	97,653	97,653	49	46	1	97,653	1	X		do.	X	
The Martin Bros. Container & Timber Products Corp.	980	Oct. 11, 1963	3,387	82,114	82,114	19	15	1	82,114	1			do.	X	
Douglas County Lumber Co.	1099	July 10, 1964	1,040	21,388	31,168	9	6	1	21,388	1	X				X
Woolley Logging Co.	1092	Oct. 18, 1963	6,688	174,060	211,634	18	18	1	174,060	1					X
Do.		July 14, 1964	5,534	128,198	128,198	21	8	1	128,198	1					X

Coning Corp.	942	Aug. 9, 1963	4, 967	67, 421	91, 689	45	45	1	67, 421	1	-----	-----	X
Douglas County Lumber Co.	976	Sept. 11, 1963	4, 150	89, 944	89, 944	47	47	1	89, 944	1	-----	-----	X
Douglas Fir Plywood Co.	727	May 15, 1962	6, 047	105, 460	105, 460	37	37	1	105, 460	1	X	-----	Purchaser

<sup>1</sup> Road repair work is 45 percent complete.

<sup>2</sup> Road repair work is 90 percent complete.

<sup>3</sup> Road repair work is 5 percent complete.

<sup>4</sup> Road repair cost estimate includes work on existing road to be maintained by purchaser.

<sup>5</sup> Recent detailed estimate is higher than original.

6 Road repair work is 50 percent complete.

<sup>7</sup> Road repair work is 50 percent complete.

<sup>8</sup> Road re-  
purchaser.

NOTE.—In many cases the road loss and the road repair estimates contain both damage to roads constructed by purchasers and damage to existing roads that the purchaser is required to maintain.





700	Menasha Corp	Dec. 6, 1963	16,472	290,182	147	141	1 32	290,182	1 32	X	do	X
607	Do	June 24, 1963	18,878	232,267	199	190	1 18	232,267	18	X	do	X
508	Do	Oct. 19, 1962	6,476	75,430	70	70	4	75,430	4	X	do	X
715	Coos Head Timber Co	Jan. 19, 1964	2,739	96,120	1	1	1 4	77,652	1 4	X	Purchaser	X
726	Do	Feb. 11, 1964	19,618	645,303	82	82	1 8	430,788	1 8	X	do	X
699	Do	Jan. 2, 1963	13,401	209,500	151	151	1 20	209,500	1 20	X	do	X
642	Do	Aug. 22, 1963	16,834	236,819	187	187	1 20	236,819	1 20	X	do	X
608	Do	July 9, 1963	3,635	75,783	6	6	1 2	75,783	1 2	X	do	X
746	Do	May 6, 1964	4,771	104,724	34	34	4	104,724	4	X	Purchaser	X
800	International Paper Co	Nov. 17, 1964	4,770	124,423	57	2	1 1	13,940	1 1	X	Purchaser	X
641	Mitchell Bros. Logging Co	Nov. 17, 1964	2,403	15,762	2	2	1	71,209	1	X	do	X
711	Do	Mar. 19, 1964	2,403	78,889	2	5	1	38,217	1	X	do	X
679	Owen W. Smith	Dec. 11, 1963	1,673	38,217	140	40	20	320,650	20	X	do	X
801	Woolley Logging Co	Sept. 30, 1964	14,430	493,085	40	40	1 30	97,887	1 30	X	do	X
818	D. & F. Logging, Inc	Jan. 4, 1963	9,201	178,364	103	103	7	98,348	7	X	BPR	X
612	Eltside Lumber Co	July 24, 1963	9,201	99,050	103	103	1 21	95,371	1 21	X	Purchaser	X
665	Independent Loggers & Contractors	Dec. 27, 1963	4,379	97,112	93	85	1 10	56,642	1 10	X	Purchaser	X
727	Western States Plywood	Jan. 17, 1963	3,085	131,118	42	42	1 10	56,642	1 10	X	Purchaser	X

<sup>1</sup> Road loss from flood (col. 9) and road repair cost (col. 11) includes estimates of costs of damage and repair to existing roads for which purchaser has a contractual obligation for maintenance.



## December 1964 flood damage to roads under timber sale contract—Continued

DISTRICT, MEDFORD, OREG.

Purchaser	Contract No. (11)	Purchase date	Volume sold, (MBF)	Appraised price	Bid price	Road construction estimate (thou-sands)	Value of road construction to flood date (thou-sands)	Road loss from flood estimate (thou-sands)	Proof and risk allowed in appraisal	Road repair cost estimate (thou-sands)	Road has been repaired—			Road is being used for log hauling	
											In full	In part	By	Yes	No
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)
The Robert Dollar Co. of California.	998	June 18, 1963	9520	\$179,941	\$229,384	\$36	\$30	\$30	\$176,741	\$30					X
Bate Plywood Co., Inc.	908	Feb. 26, 1963	9233	200,795	200,795	66	66	20	179,187	20		X	Purchaser Subcontractor.	X	
Do.	993	June 4, 1963	6140	129,097	129,097	32	32	13	117,488	13					X
Do.	922	Feb. 28, 1963	8069	172,872	172,872	16	16	11	164,293	11	X		BLM and Purchaser.	X	
Caveman Lumber Co.	858	June 16, 1962	7064	138,990	138,990	58	58	7	138,361	7	X		do.	X	
Spalding & Son, Inc.	1038	July 11, 1963	2871	54,963	54,963	17	17	6	52,153	6					X
Southern Oregon Plywood, Inc.	1102	Jan. 9, 1964	5997	123,619	123,843	36	34	5	115,610	5	X		Purchaser	X	
The Robert Dollar Co. of California.	1080	Nov. 27, 1963	5439	130,762	130,762	22	21	4	130,012	4					X
K. & C. Timber Co.	1015	July 10, 1963	7632	150,766	150,783	50	50	4	147,791	4					X
Spalding & Son, Inc.	1034	Oct. 28, 1963	9134	219,431	219,431	40	40	3	193,267	3					X
Medford Corp.	1160	June 11, 1964	5716	127,094	145,237	32	8	3	118,555	3					X
Cabax Mills, Inc.	1093	Dec. 12, 1963	7813	200,509	256,695	31	31	3	196,980	3					X
Timber Products Co.	1135	Apr. 9, 1964	6148	149,339	177,276	11	11	3	137,746	3	X		BPR and BLM.	X	
Do.	950	Mar. 14, 1963	2586	48,964	48,964	21	21	3	46,270	3	X		Purchaser		X
Elk Lumber Co.	1161	July 11, 1964	5,391	111,594	111,599	30	13	3	108,000	3	X		Purchaser	X	X
George B. Williams	1084	Nov. 14, 1963	1,531	30,090	31,621	1	1	13	29,890	13					X
The Robert Dollar Co. of California.	1145	June 5, 1964	4,165	96,151	96,151	27	26	3	94,068	3					X
Bate Plywood, Inc.	1146	June 26, 1964	8,941	172,321	172,321	97	92	2	168,568	2		X	Purchaser BLM.	X	
Do.	1011	July 3, 1963	3,587	76,940	76,940	26	26	2	69,748	2	X			X	
Spalding & Son, Inc.	955	Mar. 22, 1963	2,398	46,920	46,920	13	13	1	37,624	1					X
Bate Plywood, Inc.	1094	Jan. 29, 1964	4,300	106,533	114,181	8	8	1	104,025	1					X
S. H. and W. Lumber Co.	990	Feb. 28, 1963	5,658	109,323	109,323	20	20	1	101,764	1					X
Crater Plywood, Inc.	1158	June 11, 1964	1,530	30,799	37,636	0	0	1	30,400	1					X

Kogap Manufacturing Co.	1147	June 12, 1964	3,265	64,088	89,586	8	8	1	60,164	1	X	Purchaser	X	X
Crater Plywood, Inc.	1187	Aug. 18, 1964	3,231	84,084	118,800	4	4	1	82,437	1	X	Purchaser	X	X
Medford Corp.	973	June 6, 1963	3,599	65,923	76,497	15	15	1	59,379	1	X	do.	X	X
Cheney Forest Products	823	Apr. 25, 1962	2,818	51,491	51,509	12	12	1	46,120	1	X	do.	X	X
Timber Products Co.	1100	Jan. 9, 1964	4,820	91,728	91,751	38	19	1	88,977	1	X	do.	X	X
Do.	1048	Aug. 8, 1963	7,359	149,214	175,616	55	55	1	143,596	1	X	do.	X	X
Do.	1019	June 13, 1963	2,357	45,069	46,069	11	11	1	45,750	1	X	do.	X	X
Do.	987	May 9, 1963	5,921	120,262	120,262	14	14	1	115,103	1	X	do.	X	X
Medford Corp.	1137	Apr. 9, 1964	3,108	55,295	87,827	11	3	1	55,195	1	X	do.	X	X
Elk Lumber Co.	1163	June 11, 1964	5,278	113,173	113,233	32	3	1	106,121	1	X	do.	X	X
Superior Logging Co.	1079	Nov. 27, 1963	3,200	76,742	76,742	16	10	1	72,938	1	X	do.	X	X
Southern Oregon Plywood, Inc.	1087	Nov. 26, 1963	5,757	142,635	142,635	36	34	1	141,995	1	X	do.	X	X
Do.	1154	June 19, 1964	11,591	289,903	338,447	56	20	1	289,561	1	X	do.	X	X
Superior Logging Co.	855	June 14, 1962	5,115	100,587	100,587	34	34	1	100,302	1	X	do.	X	X
Southern Oregon Plywood, Inc.	1193	Sept. 21, 1964	4,363	109,038	121,306	14	9	1	107,385	1	X	Purchaser	X	X
Caveman Lumber Co.	832	Apr. 12, 1962	1,618	34,938	34,945	4	4	1	34,561	1	X	Purchaser	X	X
Southern Oregon Plywood, Inc.	1142	May 11, 1964	4,524	108,919	108,919	17	17	1	108,560	1	X	Purchaser	X	X
Fir Ply Co.	1035	July 11, 1964	738	15,773	20,192	1	1	1	15,537	1	X	Purchaser	X	X

<sup>1</sup> Road loss from flood estimate (col. 9) and road repair cost estimate (col. 11) include damages to existing roads for which the purchaser has a contractual road maintenance obligation.



Mr. WOLF. I have with me Archie Craft, Chief, Forestry Staff, Bureau of Land Management, and Mr. Frederick Fishman, Office of Legislative Counsel, Department of the Interior.

We are pleased to have the opportunity to testify on S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The Department's report has been presented to you, setting forth its position.

The Bureau of Land Management administers approximately 15.5 million acres in California, 15.5 million acres in Oregon, and 12 million acres in Idaho. These are multipurpose conservation lands managed for their timber, range use, watershed protection, recreation, and mineral values.

This flood represents the greatest and most widespread disaster to ever affect the Bureau of Land Management's road systems and its timber contract roads.

Extremely heavy flood damage to roads was experienced particularly in western Oregon, where the Bureau of Land Management has a large timber sale program. It is in this area that there was heavy damage to timber purchaser roads which are constructed for timber removal purposes.

In western Oregon the Bureau manages 2 million acres of extremely valuable forest lands. It sells approximately 600 commercial sales, and an annual allowable harvest of over 1 billion board feet of timber, which produces revenue in excess of \$32 million.

These sales average 2 million board feet each. This timber is vital to the economy of western Oregon and to the Nation.

The Bureau's damage estimates are presently about 75 percent complete. There is extensive damage to all parts of the Bureau's road system. A budget request has been presented to the Committee on Appropriations for its consideration where present authorities are adequate.

We are before your committee today to discuss in particular section 2(b) of the pending legislation which deals with timber purchaser roads. The Department has recommended certain amendments to the bill as introduced which have as their major purpose provision for inclusion of the lands administered by the Department of the Interior, a firm formula for the repair of timber purchaser constructed roads, and the recommendation that the legislation provide for retroactive adjustments to the date of the flood.

The type of road section 2(b) deals with are those which are constructed or are under construction by our timber purchasers. The Bureau of Land Management has approximately 225 contracts where timber purchasers suffered varying amounts of road damage which aggregates an estimated \$1,250,000.

On 65 of the contracts, the damage estimated is less than \$1,000. On 80 contracts, the estimate of damage is between \$1,000 and \$3,000. On another 80 contracts, the estimated damage is over \$3,000, averaging approximately \$12,500 per contract for this group.

The existing contracts do not permit the United States to modify them to grant any measure of relief to the timber purchaser for a road which he has constructed in whole or in part which was washed away by the disastrous floods.

There have been other instances in the past where individual timber purchasers have suffered relatively minor losses to particular segments of roads due to minor landslides or other similar occurrences. Under the contract, it has been their responsibility to restore the road to the required condition.

However, the damage done by the winter floods was so widespread and so significant that it is the position of the Department of the Interior that some measure of relief would be fair and equitable.

The language submitted by the Department will permit the Secretary, notwithstanding provision of existing contracts, to provide for the restoration, reconstruction, and completion of highways, roads, and trails.

He will be able to provide similar relief to timber sale contractors for such restoration work performed following the flood but prior to the effective date of this act.

He will be able to assist in situations either where the road was constructed but not accepted by the Government, or was in the process of construction under a timber sale contract, if the road was damaged or destroyed by the flood.

The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion of the road, as determined by the Secretary, will be borne as follows:

The timber purchaser shall bear the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed. The timber purchaser also shall bear an amount equal to the first 15 percent of the estimated cost incurred prior to the flood on the damaged or destroyed portion of the highway, road, or trail.

The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion. The Secretary also shall bear 50 percent of the remaining estimated cost with the timber purchaser bearing the other 50 percent.

Where the total damage is estimated at less than \$500, this provision will not be operative, and the timber purchaser will be expected to bear that cost entirely.

Overall purchasers of Bureau timber have sustained losses due to flood damage which total approximately \$1¼ million on the 225 contracts. The inclusion of section 2(b), if amended as suggested by the Department, would permit the Government to adjust these timber sale contracts in order that some measure of relief will be granted to these timber purchasers.

That concludes my statement, Mr. Chairman.

Senator BAYH. Thank you very much.

Do you have other specific language to incorporate in this bill?

Mr. WOLF. No; all we seek is in the Department report which has been submitted to the committee.



Senator BAYH. In the report, does it incorporate the terms of the formula within the statute?

Mr. WOLF. Yes, Senator, it does. That is found on page 4 of the report submitted by the Department.

Senator BAYH. Do you have any further comments to add to those of the last witnesses concerning how this \$500, 15 percent, \$1,000, 50-50-percent formula was arrived at?

Mr. WOLF. No, Senator, I think Mr. Greeley described the situation adequately.

Senator BAYH. Do you feel that this would provide more equity than a 50-50 across-the-board formula, or perhaps a little easier to administer?

Mr. WOLF. A 50-50 across-the-board formula would grant more relief in the larger road damage situations, I believe, than this formula proposes. This formula that the Department proposes would grant more relief in the smaller contracts.

Senator BAYH. Smaller damage, do you not mean?

Mr. WOLF. Yes, smaller damage situations.

I would have to compute it, but I would guess the break-even point when it starts to shift would be around \$8,000 worth of damage. On contracts under this, a little more than 50-percent relief would be given for damage. On those over, a little less.

Senator BAYH. In your judgment, it might be a little easier to bear costs under that than the costs over that in a small operator?

Mr. WOLF. It depends on the individual operator, his ability to bear it.

Some of our small contracts, of course, where there is small damage, may be held by a large firm, and others, where there is relatively large damage, may be held by a small firm.

Senator BAYH. Do you feel that there should be some formula written into the act to take into consideration the ability of the contractor to bear that?

Mr. WOLF. We are not recommending that, sir.

Senator BAYH. Has there been any opportunity to consult with the timber industry to get their opinion on this formula approach?

Mr. WOLF. Only in a most general way.

I would say basically that when a matter is under consideration in the administration there are some limitations on our ability to discuss it too widely.

Senator BAYH. I think on something like this, you surely did discuss this with members of the timber industry. Do you recall their opinion?

Mr. WOLF. We were well aware that they would like to have a maximum amount of relief which the administration and the Congress was willing to provide in the situation.

Senator BAYH. Other than that, you do not recall any specific comments?

Mr. WOLF. As to specific formulas, no.

Senator BAYH. I think we were in error in not asking them that question, but at that stage of the hearings we did not have the benefit of the formula.



Mr. WOLF. We had flood damage meetings, and we did understand that the industry sought the maximum possible relief.

Senator BAYH. This is not unusual.

Mr. WOLF. This was a natural position for them to take, and we understood their situation fully.

We had analyzed, to the extent we had firm estimates, the kinds of conditions that faced various purchasers. The Forest Service submitted information. We also had similar information. So we were aware of the size and scope and breadth of the damage.

Senator BAYH. The thing that concerns me a little bit about the formula is there does not seem to be a direct relationship to the size of the contract, or with the size of the damage that might have been involved in this particular type of disaster.

Because of the inaccessibility of certain tracts of land, maybe a small tract of land would require a rather expensive access road being built to it. It is pretty difficult to strike equity with this 15 percent. Perhaps not. I have not given it a tremendous amount of thought.

Mr. WOLF. This, of course, is a problem in any formula such as this one. It does not work quite equally all the way.

Senator BAYH. Thank you very much, Mr. Wolf. I appreciate you and the other gentlemen appearing here.

Do you have any further comments?

Mr. WOLF. No, sir.

Senator BAYH. Thank you very much.

The next and final witness is Mr. Ralph Hodges, Jr., chief forester for the National Lumber Manufacturers Association.

Mr. Hodges.

#### STATEMENT OF RALPH D. HODGES, JR., CHIEF FORESTER, NATIONAL LUMBER MANUFACTURERS ASSOCIATION

Mr. HODGES. Mr. Chairman, I am Ralph D. Hodges, Jr., chief forester for the National Lumber Manufacturers Association, a federation of 16 regional, product, and species associations representing the Nation's lumber-manufacturing industries.

I have a two-page statement. If you will just accept it for the record, I will not read it, and would rather comment on the two main problems that are now before us on timber purchaser and cooperatively constructed forest roads.

(The prepared statement follows:)

#### PREPARED STATEMENT OF RALPH D. HODGES, JR., CHIEF FORESTER, NATIONAL LUMBER MANUFACTURERS ASSOCIATION

I am Ralph D. Hodges, Jr., chief forester for the National Lumber Manufacturers Association, a federation of 16 regional, product, and species associations representing the Nation's lumber manufacturing industries.

The forest industries in the Pacific Northwest were hard hit by the exceptional floods of last Christmas. Timber growing, harvesting, and manufacturing is the backbone of this region's economy. Private property owners, counties, States, and Federal agencies have done a good job in restoring much of the damaged facilities on which the economy depends. There is still need, however, for a lot to be done in the restoration of damaged transportation facilities that serve Federal property.

In most of the area the resources are federally owned—on the average, more than 60 percent of the land is federally owned or administered.

Oregon Senators Morse and Neuberger have introduced a bill (S. 327) to deal with restoration of damaged facilities not already covered by existing authorizations.

We hope this committee will consider the following in reporting legislation to assist restoration of transportation facilities serving the Federal lands:

1. Most of the area is federally owned and administered.
2. The livelihood of the people in the area is dependent on prompt restoration of transportation facilities.
3. The forest lands under Federal administration affected by the flood are administered by the Secretaries of Agriculture and Interior. Some of the Interior-administered lands are in Indian reservations.
4. Both Secretaries need authority to restore roads that were under construction by purchasers of Federal timber as part of timber sale contracts, provisions of the timber sale contracts notwithstanding.
5. Authority is needed to reimburse purchasers and cooperators for emergency restoration of roads serving Federal property to the extent authorized and deemed necessary by the Secretaries.
6. The Secretaries need authority to restore roads constructed or maintained under cooperative agreements with public or private entities, provisions of such agreements notwithstanding.
7. This authority should apply to the damage done by the December 1964-January 1965 floods.
8. The extent of restoration to be borne by the Federal Government should be related to the amount both Secretaries deem appropriate for the protection and management of federally administered property.

Mr. HODGES. The first problem is the purchaser road and the second is the cooperative-agreement road.

The most important issue was commented on by Senator Morse. We have same viewpoint. We are absolutely surprised and disappointed, and think that it is totally unsatisfactory to try to use the type of formula suggested for contractor roads under construction.

As you noticed, Senator Bayh, there really is no correlation between the size of the loss, the size of the operator, or, the size of the sale.

The way the formula would work is that when there is a large amount of damage, the Government bears 42 percent of restoration cost. In other words, you have an open-ended, cost-liability problem for the Federal road under construction by a timber sale contractor.

These, of course, are contractors buying Government timber and building Government roads as part of a timber sale. We are not talking at all about private roads.

Under all types of specific Government roadbuilding contracts that we know about, including those that the Forest Service has, where they go out and hire a contractor just to build a road, you have a complete exemption, and I will quote the language out of those contracts.

I am using Forest Service road construction contracts for construction of forest development roads and bridges. The language exempts the operator from:

\* \* \* unforeseeable causes beyond the control of and without fault or negligence of the contractor, including but not restricted to acts of God or of the public enemy, acts of the Government, floods and cloudbursts, slides found by the engineer to have been unavoidable, and ordinary wear and tear on any section of the road open to traffic by order of the engineer. \* \* \*

We have been working with the Forest Service in a cooperative approach to develop a new timber sale contract form over the past 2 years. We have just completed it this week.



In other words, we have developed an entirely new contract form that is planned to go into effect on July 1.

This subject was recognized as a problem long ago and there is a new section in the contract to cover it. The new clause operates on the basis that the contractor assumes a certain proportion of this kind of catastrophe loss, and it is related to idea that the purchaser would bear 15 percent of the loss.

But beyond that, like all Government roadbuilding contracts, the Federal Government bears all of the rest.

I would like to submit this for the consideration of the committee, and I have encircled the portion that applies. Perhaps that should be in the record.

Senator BAYH. We will put that portion in the record.

(The excerpt referred to follows:)

*B5.23—Construction cost adjustments.*—Cost estimates in table 6 and related purchaser credit shall, subject to B5.25, be adjusted for differences between estimates and acceptable work as follows:

\*            \*            \*            \*            \*            \*

*B5.233—Cost adjustment for physical change.*—If prior to approval, under B5.24, a major physical change, such as slide, washout, landslip, or fire, not due to negligence of purchaser, results in additional work by purchaser with an estimated cost (1) of more than \$1,000 for sales under 1 million board feet, or (2) of more than \$1 per thousand board feet for sales of 1 to 3 million board feet, or (3) of more than \$3,000 for sales over 3 million board feet, the estimated cost of construction in table 6 shall be revised.

In such event, construction specifications and drawings may be revised when necessary to meet the new conditions and such revised estimates and drawings shall be the basis for revised cost estimates. Estimated costs shall be calculated by Forest Service using unit rates comparable with those used in the preparation or revision of table 6.

Senator BAYH. For our information, under the new contract what percentage of the risk would the contractor bear?

Mr. HODGES. If it is a small sale, of a million board feet, he would take \$1,000. If it is more than a million and less than 3 million board feet, he would assume \$1 per thousand. If it is over 3 million board feet, he would bear \$3,000 of risk.

This was agreeable to both sides, and it has some historic basis. Timber purchasers expect that they will occasionally have to perform a certain amount of extraordinary maintenance on newly constructed roads following winter storms. It is a reasonable approach. It was widely circulated prior to the flood and everybody is happy with it, as far as I know.

But you see, for the open-end liability for the type of catastrophe that takes away everything—takes away the whole road, and that might cost an untold amount of money, the Government bears the risk. The Government acts as an insurer for acts of God.

Senator BAYH. This is similar to the provision that you cited there where the Government contracts with someone to come in and build roads?

Mr. HODGES. Right.

When you talked to Mr. Whitton, you asked him something about cost sharing. He was commenting on the cost sharing between the



State and Federal Government for paying for these losses. He was not talking about, as I got it, what the contractor would do.

I think I have expressed accurately what would happen to the contractor. He would not bear any of it.

Senator BAYL. No; it was specifically Federal-State relationship of financing the roads, not the timber purchase agreement.

Mr. HODGES. Now, if I can skip down to this matter of cooperatively built roads. We are not asking for subsidies or Federal relief for roads serving only private land.

As an industry, we are not asking for the maximum, or everything we could ask for. We are focusing on the Federal lands, and the Federal roads.

I hope that that is borne in mind throughout.

If you will notice Item 8 of my statement, I say the extent of restoration to be borne by the Federal Government should be related to the amount both Secretaries deem appropriate for the protection and management of federally administered property.

This gives a certain amount of leeway where a private road serves Federal property, and where, for instance, there is a cooperative cost-share agreement, but you cannot make the private owner come in and restore his share of the road because he does not need to use it for 10 or 20 years, or any time soon. He is not going to put up the money until he needs to use the road. There are cases like this.

Right now we have three or four different Federal timber purchasers waiting to use such a road. There is not going to be any restoration of such a road unless the Federal Government does it.

There may be a way that the Federal Government can recoup a share of it or whatever is appropriate in the future from the private owner, and we are not objecting to that.

The way this happens is that sometimes a road is built to serve private timber and the private timber is then harvested. The Federal Government comes along later and buys a share in the road. It is paid for by the purchasers of Federal timber paying back the builder of the road so much per thousand as it is logged. These people that have such Federal timber sale contracts may have in their contracts a clause requiring them to pay the private road owner so much per thousand board feet.

You cannot change their contracts now to make them pay more, because they bid for the timber on the basis that the Federal Government was supplying them a road at a certain fee.

The Federal Government has to supply it, or else they cannot haul. So while you can try to put a greater cost burden on that original private road owner or builder, you are going to have the problem of readjusting the amount that each Forest Service timber purchaser or Bureau of Land Management timber purchaser must pay that hauls over that road in the future.

I am getting this awfully complicated, as I realize, in order to show you that the Secretaries need broad authority in order to handle this. If they are given a standard that the amount of Federal money they put into the road must be related to the amount that they deem appro-

priate for the protection and management of federally administered property, then I think that is about as far as you can go.

The last thing I would like to say is that we do support the 7-day advertisement, as pointed out in the Forest Service statement. That is an essential requirement, and I do not think it will result in decreased income to the Government.

Senator BAYH. You do not think any of your members will be penalized?

Mr. HODGES. The Forest Service has a good history in this regard. On emergency action they let everybody concerned know.

The reason you need the 7-day period is that people are desperate. You are doing it to keep people in business, so it is going to be widely known.

Senator BAYH. Do you have any other specific examples of hardship cases of small operators with large amounts of damage?

Mr. HODGES. We could supply them. I do not have them with me.

Senator BAYH. It might be helpful if you would supply them. We did receive a few earlier, and it paints a pretty good picture of the problem that confronts the operator.

(The examples referred to follow:)

#### TIMBER SALE FLOOD DAMAGE EXAMPLE

##### *U.S. Forest Service, Region 5, Klamath National Forest*

Purchaser: Van Vleet Wood Products Corp.

Sale date: June 28, 1963.

Total volume: 21,000 thousand board feet.

Estimated total cost of road: \$234,697.

Value of road construction to flood date: \$220,960.

Road damage from flood: \$102,800.

#### A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$13,737	0
2. 15 percent of construction to date of flood.....	33,144	0
3. Government donation.....	0	\$1,000
4. 50 percent split of remainder.....	34,328	34,328
Subtotal.....	81,209	35,328
5. Expended prior to flood.....	220,960	0
Total cost.....	302,169	35,328

#### B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$220,960	0
2. Flood road damage.....	3,000	\$99,800
3. Normal completion.....	13,737	0
Total cost.....	237,697	99,800

*U.S. Forest Service, Region 6, Mount Hood National Forest*

Purchaser: Astoria Plywood Corp.

Sale date: June 24, 1963.

Total volume: 18,300 thousand board feet.

Estimated total cost of road: \$248,899.

Value of road construction to flood date: \$181,775.

Road damage from flood: \$130,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$67, 124	0
2. 15 percent of construction to flood date.....	27, 266	0
3. Government donation.....	0	\$1, 000
4. 50 percent split of remainder.....	50, 867	50, 867
Subtotal.....	145, 257	51, 867
5. Expended prior to flood.....	181, 775	0
Total cost.....	327, 032	51, 867

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$181, 775	0
2. Flood road damage.....	3, 000	\$127, 000
3. Normal completion.....	67, 124	0
Total cost.....	251, 899	127, 000

*U.S. Forest Service, Region 6, Umpqua National Forest*

Purchaser: Bohemia Lumber Co.

Sale date: May 28, 1962.

Total volume: 21,900 thousand board feet.

Estimated total cost of road: \$278,233.

Value of road construction to flood date: \$222,586.

Road damage from flood: \$15,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$55, 647	0
2. 15 percent of construction to flood date.....	(133, 388)	
3. Government donation.....		( <sup>1</sup> \$1, 000)
4. 50 percent split of remainder.....	0	0
Subtotal.....	70, 647	0
5. Expended prior to flood.....	22, 586	0
Total cost.....	293, 233	0

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$222, 586	0
2. Flood road damage.....	3, 000	\$12, 000
3. Normal completion.....	55, 647	0
Total cost.....	281, 233	12, 000

<sup>1</sup> 15 percent would cover more than total amount of damages, so no Government donation.



*U.S. Forest Service, Region 5, Six Rivers National Forest*

Purchaser: Medford Veneer &amp; Plywood Corp.

Sale date: November 12, 1963.

Total volume: 8,500 thousand board feet.

Estimated total cost of road: \$163,236.

Value of road construction to flood date: \$146,912.

Road damage from flood: \$20,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$16,324	0
2. 15 percent of construction to flood date.....	( <sup>1</sup> 22,037)	0
3. Government donation.....	0	( <sup>1</sup> \$1,000)
4. 50 percent split of remainder.....	0	0
Subtotal.....	36,324	0
5. Expended prior to flood.....	146,912	0
Total cost.....	183,236	0

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$146,912	0
2. Flood road damage.....	3,000	\$17,000
3. Normal completion.....	16,324	0
Total cost.....	166,236	17,000

<sup>1</sup> 15 percent would cover more than total amount of damages so no Government donation.*Bureau of Land Management, Coos Bay District*

Purchaser: Woolley Logging Co.

Sale date: September 30, 1964.

Total timber volume: 14,430 thousand board feet.

Estimated total cost of road: \$140,000.

Value of road construction to flood date: \$40,000.

Road damage from flood: \$20,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$100,000	0
2. 15 percent of construction to flood date.....	6,000	0
3. Government donation.....	0	\$1,000
4. 50 percent split of remainder.....	6,500	6,500
Subtotal.....	112,500	7,500
5. Expended prior to flood.....	40,000	0
Total cost.....	152,500	7,500

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$40,000	0
2. Flood road damage.....	3,000	\$17,000
3. Normal completion.....	100,000	0
Total cost.....	143,000	17,000

*Bureau of Land Management, Salem District*

Purchaser: Oregon Washington Plywood Corp.

Sale date: December 31, 1962.

Total volume: 9,952 thousand board feet.

Estimated total cost of road: \$106,000.

Value of road construction to flood date: \$99,000.

Road damage from flood: \$30,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$7,000	0
2. 15 percent of construction to flood date.....	14,850	0
3. Government donation.....	0	\$1,000
4. 50 percent split of remainder.....	7,075	7,075
Subtotal.....	28,925	8,075
5. Expended prior to flood.....	99,000	0
Total cost.....	127,925	8,075

## B. BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$99,000	0
2. Flood road damage.....	3,000	\$27,000
3. Normal completion.....	7,000	0
Total cost.....	109,000	27,000

*Bureau of Land Management, Coos Bay District*

Purchaser: Moore Mill &amp; Timber Co.

Sale date: April 15, 1964.

Total timber volume: 19,689 thousand board feet.

Estimated total cost of road: \$191,000.

Value of road construction to flood date: \$130,000.

Road damage from flood: \$36,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$61,000	0
2. 15 percent of construction to flood date.....	19,500	0
3. Government donation.....	0	\$1,000
4. 50 percent split of remainder.....	7,750	7,750
Subtotal.....	88,250	8,750
5. Expended prior to flood.....	130,000	0
Total cost.....	218,250	8,750

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$130,000	0
2. Flood road damage.....	3,000	\$33,000
3. Normal completion.....	61,000	0
Total cost.....	194,000	33,000

*Bureau of Land Management, Medford District*

Purchaser: The Robert Dollar Corp.

Sale date: June 18, 1963.

Total timber volume: 9,520 thousand board feet.

Estimate total cost of road: \$36,000.

Value of road construction to flood date: \$30,000.

Road damage from flood: \$30,000.

## A. BUDGET BUREAU FORMULA

	Operator	Government
Cost to:		
1. Normal completion.....	\$6,000	0
2. 15 percent of construction to flood date.....	4,500	0
3. Government donation.....		\$1,000
4. 50 percent split of remainder.....	12,250	12,250
Subtotal.....	22,750	13,250
5. Expended prior to flood.....	30,000	0
Total cost.....	52,750	13,250

## B. ON BASIS OF NEW FOREST SERVICE CONTRACT PROCEDURE

	Operator	Government
Cost to:		
1. Construction to flood date.....	\$30,000	0
2. Flood-road damage.....	3,000	\$27,000
3. Normal completion.....	6,000	0
Total cost.....	39,000	27,000

Mr. HODGES. I was asked to express the viewpoint of the California Redwood Association and the Western Wood Products Association, that they are most appreciative of the help this committee, the Bureau of Public Roads, and the Federal agencies have given, and the extent to which they jumped in and did a tremendous job of restoring roads generally.

We do have these two problems, however, which have dragged on much too long, we think.

Senator BAYH. I notice in Senator Morse's and Senator Neuberger's bill, reference is made there to any roads and trails which were in the process of construction. Does this also apply to those roads which had already been completed?

Mr. HODGES. The roads that have been accepted, as I understand it, and as the agency people have already said, are being handled. They are total agency responsibility. Where construction has been accepted the agency takes total responsibility.

Senator BAYH. They are part of the support system.

Thank you very much, Mr. Hodges. We appreciate your time, and the time of all you gentlemen who were patient.

I think that those of you from Interior and Agriculture recognize that we would like to have the answers to those questions as quickly as possible, so we can move this legislation, since it is a real emergency.

Thank you, gentlemen.

The hearings are adjourned.

(Whereupon, at 12:47 p.m., the hearings were concluded.)

(Subsequently the following statements were ordered printed:)



## STATEMENT OF WILLIAM M. JAEKLE, VICE PRESIDENT, NORTHWESTERN PACIFIC RAILROAD Co.

My name is William M. Jaekle and I am assistant vice president system operations of Southern Pacific Co., as well as vice president of its wholly owned subsidiary, Northwestern Pacific Railroad Co.

I would like to explain the extent of the damage suffered by Northwestern Pacific and Southern Pacific in the disastrous floods of last December, what we have done to restore our severely damaged lines, and in what areas we believe the Federal Government could render aid in the restoration of Northwestern Pacific's facilities.

Northwestern Pacific Railroad's lines extend from San Rafael, Calif., just north of San Francisco through Willits, Calif., to Eureka, Calif., about 285 miles. For about 100 miles these lines follow the precipitous canyon of the Eel River, between Longvale, 30 miles north of Willits, and that river's outlet to the Pacific in the Eureka area. It was this 100-mile section which was virtually wiped out by the flooding of the Eel last Christmas week, one of the worst floods in the river's history. Some of the Members of Congress have had the opportunity to survey personally the tremendous damage wrought to this railroad by this major disaster. The shocking extent of the damage caused by the flooding waters and resultant landslides was observed at close hand by those Members. In some areas not only were the rails washed away, but also the complete roadbed, including the protective riprap between the river and the roadbed. Huge redwood logs were carried like battering rams by the rampaging flood waters, knocking out three large steel bridges. In many areas great piles of these tremendous logs, scattered like matchsticks, or mountains of silt and debris completely cover what were once our tracks. It is now estimated that the cost of restoring this line will amount to about \$10,700,000.

Lesser, but still very substantial, damage, in the neighborhood of \$5 million occurred on the lines of Southern Pacific, the parent of Northwestern Pacific, during the same storm period. In northern California and especially Oregon, Southern Pacific's Cascade line, the passenger and direct freight route between California and Portland running through the high Cascade Mountains in Oregon, was closed by a succession of washouts and slides. The alternate but less direct Siskiyou line between California and Oregon suffered many smaller washouts and slides.

I take great pride in reporting the heroic effort which our people made in restoring service on the Southern Pacific lines and which they are making to restore the Northwestern Pacific line. From the moment the first damage was reported and throughout the Christmas and New Year holidays Southern Pacific people, and many others called upon by Southern Pacific, worked around the clock to keep the Siskiyou line open and to restore the main Cascade line. As a result of their tremendous efforts the Siskiyou line was able to handle freight traffic on an interrupted and restricted basis during the entire period, and the Cascade line, which was closed on December 22, was restored for freight service on January 8 and for passenger service on January 15.

Restoration of the Northwestern Pacific line is, of course, a much greater task. This job is being pressed as fast as possible, by railroad forces and outside contractors, with utmost resources of Southern Pacific thrown into the undertaking. If the weather holds, we hope to have the line restored by the middle of June. Railroad employees and those of our contractors are working 6 to 7 days a week, 9 to 10 hours a day. This means each man is putting in at least 54 hours a week, which is at least 14 hours of overtime per man each week. Reconstruction problems are complicated by the fact that much of the line is inaccessible to highways, which presents difficulty in getting men and equipment into the canyon. At Spyrock, 14 miles of road had to be reconstructed to move equipment into the railroad and to permit opening of a camp to house workers. At Kakawaka, another road was rebuilt to make a second camp possible. The access road at Island Mountain was rehabilitated and maintained. With access to the railroad in the canyon we can space crews all along the route. Currently we are working from each end of the canyon and both ways from 10 different locations.

As of April 10, 95 miles of roadbed and 90 miles of track had been restructured and are now in service for work trains. While work trains are operating here, additional work to reconstruct the roadbed and refine the track surface is necessary in order that it will be suitable for freight train operation. As of April 10, 768 men were engaged in the restoration work utilizing a large assortment

of some 333 pieces of earthmoving specialized track reconstruction equipment. Men, equipment, and material have been obtained locally through the Eureka-Willits territory to the extent that they have been available and this has materially assisted in aiding the economy. Work of restoring concrete piers or damaged bridge structures is complete except for one pier of the South Port Bridge. Some 30 carloads of bridge steel have been shipped by American Bridge Co. as of April 10. Our expenditures to April 12 now exceed \$5,600,000.

There are at least two ways in which we believe the Federal Government could render valuable assistance in speeding reconstruction of these vital Northwestern Pacific lines. Of major importance in expediting the restoration of the railroad, and in preventing further permanent damage, is correction of the Eel River channel by providing essential minimum riprap protection along the stream channel. Included in this is the clearing of the channel where debris, large boulders, and rocky point projections in the channel forced the stream against the river channel, subsequently undermining the railroad embankment. Much of this work, which again is not in our right-of-way, could be performed in cooperation with railroad restoration of its embankment so that the two operations would be integrated to permit the accomplishment of the work with the greatest speed and efficiency. This is work which has to be done before the line is reopened and the more people there are working on it the faster it will be done. We have in mind that governmental agencies could bear the cost of procuring the riprap from adjoining private property or other sources and perhaps also perform the labor of putting it in place. Secondly, we could be reimbursed for the cost of the removal of debris, logs, and wreckage, work that has now largely been completed.

---

STATEMENT OF GUS NORWOOD, EXECUTIVE SECRETARY, NORTHWEST PUBLIC POWER ASSOCIATION

Mr. Chairman and members of the committee, my name is Gus Norwood. For the past 18 years I have served as executive secretary of the Northwest Public Power Association including rural electric cooperatives in northern California, Oregon, Idaho, and Washington which have been severely damaged by the disastrous alltime record floods of Christmas 1964.

We respectfully favor and urge the enactment of these bills in order to enable these stricken communities to proceed with rehabilitation so far as is feasible.

Lives have been lost. Sawmills are wrecked. Houses floated out to sea. Soil has been scoured. Some things will never be rebuilt.

The blow has been especially hard on the Douglas-fir country because the Douglas-fir economy has been far from prosperous.

We particularly endorse section 3(b) relating to Rural Electrification Administration bans. This follows the pattern established in the Alaska earthquake legislation. The readjustment of REA debt is the more imperative because the bills really cannot reach the great and more permanent loss of revenue from business and homes and farms which have been wiped out.

The decline in the Douglas-fir area in the last decade has resulted in many idle services and, therefore, idle investment. The flood has greatly aggravated this problem.

The flood represents new alltime records. Many lessons have been learned. Our rural electric cooperative managers plan to rebuild beyond reach of similar floods. Specifications will be more rigorous.

Our people are extremely busy because of the tremendous amount of work.

The provisions of these bills provide not complete but substantial relief and incentive to rebuild. The approach is reasonable and should facilitate the substantial restoration of the economy within 1 year or less.

We respectfully urge enactment of S. 327 and the companion House bills H.R. 2049 and H.R. 2115.

Thank you.



Date		Description		Amount	
1890	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1891	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1892	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1893	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1894	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	
1895	Jan 1	Balance		100.00	
	Feb 1	Interest		5.00	
	Mar 1	Interest		5.00	
	Apr 1	Interest		5.00	
	May 1	Interest		5.00	
	Jun 1	Interest		5.00	
	Jul 1	Interest		5.00	
	Aug 1	Interest		5.00	
	Sep 1	Interest		5.00	
	Oct 1	Interest		5.00	
	Nov 1	Interest		5.00	
	Dec 1	Interest		5.00	



## LEGISLATIVE HISTORY

Public Law 89-41  
S. 327 and S. 2089

## TABLE OF CONTENTS

Index and summary of S. 327 and S. 2089 . . . . .	.1,2
Digest of Public Law 89-41 . . . . .	3



INDEX AND SUMMARY OF S. 327 AND S. 2089

Jan.	4, 1965	Rep. Johnson, Calif., introduced and discussed H. R. 798 which was referred to the House Public Works Committee. Print of bill and remarks.
Jan.	7, 1965	Sen. Morse introduced and discussed S. 327 which was referred to the Senate Public Works Committee. Print of bill and remarks of author.
Mar.	29, 1965	Sen. Randolph introduced S. 1638 which was referred to the Senate Public Works Committee. Print of bill as introduced.
Apr.	1, 1965	Sen. Morse urged enactment of S. 327.
Apr.	8, 1965	House subcommittee voted to report H. R. 798.  Rep. Johnson, Calif., introduced H. R. 7303 which was referred to the House Public Works Committee. Print of bill as introduced.
Apr.	9, 1965	Senate subcommittee approved S. 327, amended to include the text of S. 1638.
Apr.	13, 1965	Senate committee ordered S. 327 reported with amendment.
Apr.	22, 1965	Senate committee reported S. 327 with amendments. S. Report No. 166. Print of bill and report.
Apr.	23, 1965	Senate passed S. 327 as reported.
Apr.	26, 1965	S. 327 was referred to the House Public Works Committee. Print of bill as referred.
Apr.	28, 1965	House Public Works Committee voted to report H. R. 7303.
May	6, 1965	House committee reported H. R. 7303 with amendment. H. Report 310. Print of bill and report.
May	18, 1965	House Rules Committee reported resolution for consideration of H. R. 7303. H. Res. 388, H. Report 352. Print of resolution and report.
May	19, 1965	House passed S. 327 with amendment (inserting the language of H. R. 7303).

H. R. 7303 laid on table due to passage of S. 327.





INDEX AND SUMMARY OF S. 327 AND S. 2089, cont'd

May	20, 1965	Senate concurred in House amendments to S. 327.
June	7, 1965	Senate received President's veto message of <u>June 5</u> . S. Doc. 34. Print of document.  Sen. Morse introduced and discussed S. 2089.  Senate committee reported S. 2089 without amendment. S. Report No. 276.  Senate passed S. 2089 without amendment.
June	8, 1965	S. 2089 was referred to the House Public Works Committee. Print of bill as referred.
June	9, 1965	House committee reported S. 2089 without amendment. H. Report No. 482. Print of bill and report.
June	10, 1965	House Rules Committee granted an open rule on S. 2089.
June	14, 1965	House Rules Committee reported resolution for consideration of S. 2089. H. Res. 420. H. Report 512. Print of resolution and report.
June	15, 1965	House passed S. 2089 without amendment.
June	17, 1965	Approved: Public Law 89-41.

Hearing: S. Public Works Committee on  
S. 1638 and S. 327.





## DIGEST OF PUBLIC LAW 89-41

### PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965.

Authorizes funds and other special assistance to aid in the reconstruction and repair of damage caused in the Pacific Northwest by devastating floods.

Directs the Secretaries of Interior and Agriculture to reimburse timber sale contractors for restoration of roads in any stage of construction when the floods occurred. Requires a timber purchaser under Government contract to bear 15 percent, up to \$4,500, of reconstruction costs.

Authorizes the Secretary of Agriculture to reduce from 30 days to seven days the minimum time period required for public notice of national timber sales.

Amends the Federal-aid Highway Act to increase appropriations for forest road development in fiscal 1966 from \$85 million to \$123 million, with the additional \$38 million to be used for forest road repair in the flood-damaged areas.

Permits additional time for persons applying for use of public land in Calif., Ore., Wash., Nev., and Idaho to comply with required application procedures.

Amends the Small Business Act to allow maturities up to 30, instead of 20, years for loans made to replace, rebuild or repair dwellings damaged or destroyed by the floods.









89TH CONGRESS  
1ST SESSION

# H. R. 798

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1965

Mr. JOHNSON of California introduced the following bill; which was referred  
to the Committee on Public Works

---

## A BILL

To provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes that the States of California,  
4       Oregon, Washington, and Idaho have experienced extensive  
5       property loss and damage as the result of floods and high  
6       waters during December 1964, and January 1965, and  
7       declares the need for special measures designed to aid and  
8       accelerate these States in their efforts to provide for the re-  
9       construction of devastated areas.

10       SEC. 2. (a) Notwithstanding section 120 (f) of title 23

1 of the United States Code, the Federal share payable from  
2 the emergency fund authorized by section 125 of such title  
3 on account of any repair or reconstruction of highways on  
4 the Federal-aid highway system of California, Oregon, Wash-  
5 ington, and Idaho, which were damaged or destroyed by the  
6 floods and high waters during December of 1964, and Jan-  
7 uary of 1965, shall be 100 per centum of the cost of such  
8 repair or reconstruction.

9 (b) The Secretary of Agriculture is authorized, with  
10 funds and authorizations available to him for the construc-  
11 tion and maintenance of forest development roads and trails,  
12 to undertake either directly or in cooperation with timber  
13 purchasers to restore or reconstruct to such extent as he  
14 deems appropriate any roads and trails which were in the  
15 process of construction by purchasers of National Forest  
16 timber and which were destroyed or severely damaged by  
17 the floods of December 1964 and January 1965.

18 (c) There is authorized to be appropriated to carry out  
19 this section, in addition to the amounts authorized by sec-  
20 tion 125 of title 23, United States Code, not to exceed  
21 \$200,000,000 for the period ending July 1, 1966.

22 SEC. 3. (a) The Secretary of Agriculture is authorized  
23 to compromise or release such portion of a borrower's in-  
24 debtedness under programs administered by the Farmers  
25 Home Administration in California, Oregon, Washington,



1 and Idaho as he finds necessary because of loss resulting from  
2 the floods and high water during December 1964, and  
3 January 1965, and he may refinance outstanding indebted-  
4 ness of applicants in such States for loans under section 502  
5 of the Housing Act of 1949 for the repair, reconstruction, or  
6 replacement of dwellings or farm buildings lost, destroyed,  
7 or damaged by such causes and securing such outstanding  
8 indebtedness. Such loans may also be provided for the  
9 purchase of building sites, when the original sites cannot  
10 be utilized.

11 (b) The Secretary of Agriculture is authorized to com-  
12 promise or release such portion of a borrower's indebtedness  
13 under programs administered by the Rural Electrification Ad-  
14 ministration in California, Oregon, Washington, and Idaho  
15 as he finds necessary because of loss, destruction, or damage  
16 of property resulting from floods and high water during  
17 December 1964, and January 1965.

18 SEC. 4. The Housing and Home Finance Administrator  
19 is authorized to compromise or release such portion of any  
20 note or other obligation held by him with respect to property  
21 in California, Oregon, Washington, or Idaho pursuant to  
22 title II of the Housing Amendments of 1955, or included  
23 within the revolving fund for liquidating programs estab-  
24 lished by the Independent Offices Appropriation Act of 1955,  
25 as he finds necessary because of loss, destruction, or damage

1 to facilities securing such obligations by the floods and high  
2 water during December 1964, and January 1965.

3 SEC. 5. Loans made pursuant to paragraph (1) of sec-  
4 tion 7 (b) of the Small Business Act (15 U.S.C. 636 (b) )  
5 for the purpose of replacing, reconstructing, or repairing  
6 dwellings in California, Oregon, Washington, and Idaho,  
7 damaged or destroyed by the floods and high water of De-  
8 cember 1964, and January 1965, may have a maturity of  
9 up to thirty years, except that section 7 (c) of such Act shall  
10 not apply to such loans.

11 SEC. 6. This Act shall not be in effect after June 30,  
12 1966, except with respect to payment of expenditures for ob-  
13 ligations and commitments entered into under this Act be-  
14 fore such date.





---

# A BILL

To provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

By Mr. JOHNSON of California

---

JANUARY 4, 1965

Referred to the Committee on Public Works

much of this program as possible within a strong Cabinet department.

There is no longer any excuse for hiding our heads in the sands of indifference and inertia. Education is a major function of this Government and we shall serve our country well only if we properly recognize education in our Federal structure as we have recognized its function in expenditures through our Federal laws and programs enacted by the Congress.

In my personal experience with the programs of the Department of Health, Education, and Welfare through my chairmanship of the Appropriations Committee as it concerns the Department, I have had a special opportunity to see how education functions over the years have been restrained and distorted by an artificial structure that lacks relevancy to the function of education today. The Office of Education is now in a department that prosecutes violators of pure food and drug laws and processes claims for social insurance while another agency of Government, namely, the National Science Foundation, is mounting a major educational program of curriculum research in the schools in science and mathematics, an undertaking which closely parallels the Office's own program for English and the social studies.

The Office of Education, moreover, shares budget ceiling with the Public Health Service and its vast array of hospital and medical services within the Department of Health, Education, and Welfare, while the Housing and Home Finance Agency conducts a construction program for college dormitories which closely parallels the Office's own construction program for academic facilities in the same colleges.

It is time to call a halt to these wasteful organizational conflicts and absurdities and to establish a department structure that will permit recognition of education functions for what they are. We have passed the stage where the Federal responsibility for education should either alarm or dismay the sensible objectives of the Congress or the Federal Government.

Today we have moved only part way to coordinate the various Federal education programs. To meet this growing complexity, the President late last year issued an Executive order to begin to bring about some consistency through an inter-agency committee chaired by the U.S. Commissioner of Education.

But this remains a partial step. A Department of Education would enable us to go the rest of the way toward bringing education programs together under an effective and unified executive administration, to bring into harmony the diffuse programs of such agencies, for example, as the National Science Foundation and the Smithsonian Institution.

My bill, as my colleagues will recognize, will retain all the protections that now exist against unwanted Federal control in education. By continuing all of the restrictions now legally in effect against Federal supervision of educational programs receiving Federal assistance, by continuing education's control in the States and localities, we can ful-

fill a long-needed opportunity to make our efforts count as they should.

My bill would also establish a National Advisory Committee on Education to advise the Secretary, the President, and the Congress on Federal policies and programs. This Advisory Committee would be broadly representative of the public and would include appropriate representatives of educational agencies and the academic community. Thus, the Congress, the executive branch, and the people at large will have a more effective and direct voice in the framing of national educational policies than they have today.

President Johnson has paid high acclaim to the legislative records of the 88th Congress. The mandate of his magnificent election last fall continues to place education at the forefront in the achievement of a great society. The President will rightly be known through this program as the "Education President" and his administration through the long-delayed and timely creation of a Department of Education as the "Education Administration." Surely this Nation can no longer afford the reckless indulgence of advancing education in law and demeaning it in action. It is now time for us to act to create a Department of Education for the long term advance of our society.

I urge all Members of this body to support my bill. I urge the Committee on Government Operations to initiate hearings at an early date. I think this bill should be enacted at this session of the Congress.

#### THE APPALACHIAN REGIONAL DEVELOPMENT ACT

(Mr. FALLON (at the request of Mr. MATSUNAGA) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FALLON. Mr. Speaker, today I introduced the Appalachian Regional Development Act proposed by President Johnson. In introducing the bill, Congressman FALLON predicted early congressional consideration and approval of the measure. The Congressman said:

This bill represents one of the key objectives of President Johnson's legislative program. The bill calls for the investment of Federal funds in those public facilities which Appalachia must have if it is to restore its economic vitality. With minor changes, the bill is in the same form as that which passed the Senate last year and was awaiting action by the full House itself.

I am confident that both the House and the Senate will give this measure early consideration and approval.

Enclosed are the highlights of the bill which I think will be of interest to the Members:

First. The construction of a development highway system to provide more adequate access to the region. The bill calls for a system of 3,350 miles of development highways of which 1,000 miles are to be local access roads.

Second. A demonstration health program which will provide funds for the construction and operation of health fa-

cilities that will contribute to the economic development of the region.

Third. Land improvement and erosion control measures will be carried out under the program enabling the region to realize greater returns from the land and water which are among its principal assets.

Fourth. Timber development organizations created by local landowners will receive lands and technical assistance in order that better use may be made of the hardwood and other timber which grows over great parts of Appalachia.

Fifth. Areas harmed by past mine operations will be reclaimed, including those now suffering from serious underground mine fires and land subsidence problems. In addition a comprehensive study of strip mining will be undertaken in order to develop the guidelines for a program in this field.

Sixth. The Secretary of the Army will direct a comprehensive water resource study which will provide plans for a more complete and coordinated development of Appalachia's rivers and streams.

Seventh. Additional sums are provided to supplement the Vocational Educational Act of 1963 for vocational school construction and the sewage treatment plant construction program of the Federal Water Pollution Control Act.

Eighth. A supplemental fund of \$90 million is provided to enable the States and communities of Appalachia to take maximum advantage of Federal grant-in-aid programs, which they have not been able to participate in because of their difficult financial position.

Ninth. To coordinate and plan for the execution of the Appalachian development program, the bill provides for the creation of a Federal-State Commission in which both partners have an equal voice. Each State will propose the projects it desires to the Commission and no projects will be carried out in a given State without its consent.

#### THE HONORABLE JAMES C. AUCHINCLOSS

(Mr. FALLON (at the request of Mr. MATSUNAGA) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. FALLON. Mr. Speaker, I requested this time in order to pay brief tribute to my dear friend and former colleague from New Jersey, the Honorable James C. Auchincloss. Early in the 2d session of the 88th Congress, he announced that he would not be seeking reelection from the Third Congressional District of New Jersey.

I believe I speak not only my own sentiments, but also the deep feelings of all those who knew Jim Auchincloss, when I compliment him on his record. He was a most industrious, diligent and dedicated public servant through the rigors of 11 sessions of the Congress—a total of 22 years. Indeed, it is difficult to summarize his usefulness in the confines of one spoken tribute. He gave to his country valuable service as ranking Republican on the Public Works Com-



mittee and the District of Columbia Committee of the House of Representatives, also, the House Office Building Commission.

It was on the Public Works Committee that I came to know the value of Jim Auchincloss. At all times he kept his eye on those things which were for the best interests of all the people. A deep understanding of public works problems enriched his usefulness.

He always assumed a modest manner concerning his outstanding record in the Congress. He never boasted. He was always kind. He was always considerate. He always wanted to do what was best. Those on both sides of the aisle loved him and had a deep respect for his capabilities.

Efficiency is not hurry and bustle; it is not noise and excitement. It is organized planned action, with each step marked out in advance. Jim Auchincloss employed a calm, quiet and efficient manner. He always held on to those admirable characteristics. He always proceeded toward a definite goal.

Mr. Speaker, it is an honor to state to this body my deep personal respect for Jim Auchincloss' ability. Through the years I found his friendship to be an inspiration. His actions were always exemplary.

He always held great faith in our kind of government—he had great faith in his own political party—he had great faith in the Congress.

As Jim retires from the Congress of the United States, I wish him many years of continued success and effective service. He will be greatly missed.

#### A UNIQUE AND EFFICIENT OFFICE

(Mr. GONZALEZ (at the request of Mr. MATSUNAGA) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, one of the good things flowing from the adjournment of the last Congress was the opportunity that it afforded the Members to return to their districts and familiarize themselves with the needs and activities. No community remains at a standstill when the Congress is in session. It is a ceaseless, endless, constantly flowing ocean of human activity. Realizing this ever since I served as a member of the city council of the city of San Antonio, then in the State Senate of Texas, I have made it a point to visit every single installation having to do with those entities. As a Member of this great House of Representatives I have endeavored to visit every single Federal installation in my district, the 20th of Texas. I have almost accomplished this. One of the most efficient and remarkable offices, not only in the 20th Congressional District, but in all of the United States is the district office of the Social Security Administration, located in my home city of San Antonio, Tex.

This office is a prototype, or ideal, of what every office of this nature should be. The district director, John Palmer, is to be given full credit for having shaped this office to perform a difficult task in a

complex area with brilliance and tremendous capacity.

Better than 40 percent of the interviews are conducted in Spanish because of the peculiar heritage and historical evolution of this section of our country. Dr. Palmer, an unusual man, has on his own initiative equipped himself by learning Spanish and even taking courses in various colleges and universities of Mexico. He has been evenhanded in his administration of the office; he has set the pace for fair employment opportunities to all qualified citizens in the staffing of his corps of workers.

In short, Mr. Speaker, it has been an inspiration to me to know that my district possesses such efficient and conscientious public servants working in the administration of the complex laws the Congress, in its wisdom, has enacted for the welfare and progress of us all.

#### THE DISASTROUS FLOOD SITUATION IN NORTHERN CALIFORNIA

(Mr. JOHNSON of California (at the request of Mr. MATSUNAGA) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. JOHNSON of California. Mr. Speaker, I rise to call to the attention of my colleagues here in the House of Representatives the disastrous flood situation which northern California has been experiencing since a day or two before Christmas. During the past 10 days we have suffered a tragic loss of life and property and although the flood waters have, for the most part, subsided, we still do not know the extent of the damage. Most of the areas affected now are covered by a heavy layer of snow, 4 and 5 feet deep, with the morning weather reports forecasting even more snow.

The floods, the worst since 1955, were caused by warm rains following heavy snows. In addition to the heavy rains, the high temperatures melted the snow in the high mountains and sent torrents of water and debris raging down the mountain watersheds into the valleys below.

In portions of the Second Congressional District which I represent, hundreds of people were isolated, cut off from food and shelter by the raging rivers. It was a week or 10 days before many of them had any contact with civilization. The Red Cross and the Department of the Army, which is coordinating the relief efforts for the military, estimated it may be weeks—yes, weeks—before all of California's mercy and rescue missions can be completed, such is the destruction of the communications, roads, and bridges in the isolated areas which have suffered so greatly in the disaster.

The situation is serious, and I understand that in the four States affected, California, Washington, Oregon, and Idaho, the damage could easily top \$1 billion; but I would like to ponder for a minute to consider what it could have been. In the Sacramento Valley of California, damage was a fraction of what it might have been. This is true even though the conditions were ripe for a repetition of

floods which have raised havoc in the region on previous occasions.

Why did we escape the damage? Why are people enjoying the New Year who otherwise might have drowned before the old year was out? The primary answer to both of these questions is the multiple-purpose water resource development which has taken place on the Sacramento River and its tributaries, in recent years. Much of this has been due to the farsighted wisdom of the Congress of the United States. On behalf of the people of this region I would like to express the deepest appreciation for the support which the Congress has given to protecting the lives and property of these areas. Your confidence in these projects and your investment in them has reaped untold benefits. Oroville Dam, for instance, paid for itself in a short few days even though it is only partially completed. The Federal Government, I am proud to say, has made provisions for flood control operations within the reservoir.

Col. Robert Mathe, chief of the Sacramento district office of the Corps of Engineers which did such a magnificent job in directing the flood control operations in the Sacramento and San Joaquin Valleys basins these past few days, estimates that in the Sacramento River watershed alone, at least \$250 million in damage had been prevented through flood control project levies, Folsom and Shasta Dams.

But some critical deficiencies were pointed up during the floods. On the American River, on the outskirts of the State's capitol of Sacramento, Folsom Reservoir again saved that city from a major flood, but it was a close call. Flood waters poured into the reservoir at such a rapid rate that if the storm had not subsided when it did, the reservoir would have filled and the waters poured over the top of the dam to flood Sacramento under several feet of water.

This points up the need for final flood control of the American River. It is my sincere hope that within this Congress, and within this year, that we shall see authorized construction of the Auburn Dam, which will end for all time the threat of floods to the city of Sacramento and its environs. I might point out that today I am reintroducing legislation to authorize this project.

On the Stanislaus River to the south, New Melones Dam has been authorized and currently is being designed by the Army Engineers. Had we had this in operation, other millions of dollars in damage could have been prevented. And the floods also brought to our attention a critical situation existing in the Yuba City-Marysville region where a repetition of the 1955 floods easily could have taken place. We were within inches of such a disaster. On the north coast there is virtually no flood protection and we certainly need it. I am pleased at the announcement that surveys which I hope will lead to development on the Mad River, where damage approximated \$2 million, will be started in the immediate future. Similar action must be taken on the Klamath and other rivers of the region.



We need completion of these projects, completion of flood works on the Tuolumne, the Merced, the Fresno, and the Chowchilla Rivers. If we had had them we could have saved several millions of dollars in damage in the past 10 days.

Thus I want to call to the attention of the Congress the critical need to prevent repetition of this type of disaster, and at the same time I want to point out some of the problems which we face today in mopping up from the current disaster.

Today I am introducing a bill which I hope will help with this massive clean-up and rehabilitation program.

A variety of proposals are contained in the bill, the most important of which, I believe, is the authorization of Federal assistance to the four States affected in rebuilding its road and bridge system. As I have said before, no one knows the true extent of this damage, but it is tremendous. Not only are there millions upon millions of dollars to be spent in rebuilding and repairing roads and bridges, but this is timber country, country which is dependent for its very existence upon roads. Without these roads no timber can be harvested and the economy of the community will collapse.

Thus the first job we must face is to rebuild the road and bridge systems of these four stricken States.

Local government is faced with an impossible task of financing the repair just to county roads and bridges—and I would point out that literally hundreds of bridges have gone down the rivers of California in the past few days. Siskiyou County, for instance, operates on a \$5 million annual budget, yet when the final results are tallied, I anticipate that the flood damage to roads and bridges alone in that county may well approach \$8 million.

We must help. I have proposed that matching limitations be waived and that an additional \$200 million be authorized for the Bureau of Public Roads emergency fund, which now is nearly exhausted.

The legislation which I introduce today also provides:

First. Authorizing the Secretary of Agriculture to compromise or release indebtedness under Farmers Home Administration programs where necessary because of losses suffered due to the floods. Indebtedness also may be refinanced if repair or replacement of buildings is required.

Second. Authorizing the Secretary of Agriculture to take similar actions in connection with Rural Electrification Administration loans.

Third. Authorizing the Housing and Home Finance Administrator to take similar action on Federal housing and other similar programs under his jurisdiction.

Fourth. Authorizing the Small Business Administration to extend the loan period of its disaster relief program to 30 years instead of the present 20.

Mr. Speaker, in concluding my remarks, I would like to say just a word or two about the heroic efforts of the many, many volunteers who came to the

relief of their neighbors in the disaster area. There never will be a way to thank each and every one personally, but I do want to thank them in this manner. Their devotion to their fellow man, their giving of their time, energy, and in some cases, their lives, to helping those who were afflicted, all of which was done without any thought of reward, was, I believe, the true spirit of Christmas and we should thank God that the American people still have this spirit. It was wonderful.

(Mr. FOUNTAIN (at the request of Mr. MATSUNAGA) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. FOUNTAIN'S remarks will appear hereafter in the Appendix.]

#### MISSISSIPPI CHALLENGE

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. RYAN] is recognized for 15 minutes.

Mr. RYAN. Mr. Speaker, today at the opening of the first session of the 89th Congress, on behalf of a significant number of colleagues, I objected to the oath being administered to the gentlemen from Mississippi [Mr. ABERNETHY, Mr. WHITTEN, Mr. WILLIAMS, Mr. WALKER, and Mr. COLMER]. As we know, the distinguished majority leader later offered a privileged resolution—House Resolution 1—authorizing the administration of the oath to the five "Representatives-elect" from Mississippi and moved the previous question. On a rollcall vote demanded by the gentleman from Oregon [Mrs. GREEN] 149 of us voted against ordering the previous question. If the previous question had not been carried, I intended, as the gentleman from California [Mr. ROOSEVELT] explained by proceeding his parliamentary inquiry, to seek recognition to offer as a substitute the following "fairness resolution":

H. RES. —

*Resolved*, That the question of the right of Messrs. ABERNETHY, WHITTEN, WILLIAMS, WALKER, and COLMER to be seated in the Eighty-ninth Congress as Representatives from the First, Second, Third, Fourth, and Fifth Districts of Mississippi respectively, shall be referred to the Committee on House Administration, when elected, and said committee shall have the power to send for persons and papers and examine witnesses under oath in relation to the subject matter of this resolution; and be it further

*Resolved*, That the said Messrs. ABERNETHY, WHITTEN, WILLIAMS, WALKER, and COLMER shall not be sworn at this time and the question of their being sworn shall be held in abeyance until the House shall finally decide the question of the right of each of said Messrs. ABERNETHY, WHITTEN, WILLIAMS, WALKER, and COLMER to be seated in the Eighty-ninth Congress; and be it further

*Resolved*, That the Committee on House Administration shall make its report to the House of Representatives not later than 260 days following adoption of this resolution.

The reasoning behind the "fairness resolution" is succinctly stated in the following preamble which it would have

been in order to consider if the "fairness resolution" had been adopted:

Whereas article I, section 5, of the Constitution of the United States provides that "each house shall be the judge of the elections, returns and qualifications of its own members"; and

Whereas the 14th and 15th amendments to the Constitution forbid the denial of the right of citizens to vote on account of race or color; and

Whereas between 90 and 95 percent of all Negroes 21 years of age and resident in the State of Mississippi are not registered to vote and did not vote in the November 1964 election for Members of Congress from Mississippi due in at least substantial measure to violence, terror, discriminatory testing, economic reprisal, and similar measures; and

Whereas the Congress in the act of February 23, 1870, warned the State of Mississippi that wholesale denial of the vote to her Negro citizens would result in a loss of her representation in this body; and

Whereas relying upon the foregoing, the validity of the election of Messrs. ABERNETHY, WHITTEN, WILLIAMS, WALKER, and COLMER, respectively, for the First, Second, Third, Fourth, and Fifth Districts of Mississippi, is hereby challenged.

Mr. Speaker, under article I, section 5, of the Constitution of the United States, the House of Representatives has the solemn obligation to "be the judge of the elections, returns and qualifications of its own Members." The resolution, which I was prepared to offer, asked that the House exercise this constitutional responsibility by refusing to administer the oath to the "Representatives-elect" from Mississippi until the House finally decided the question of the right of the "Representatives-elect" from Mississippi to be seated in the 89th Congress.

This resolution is based upon the unequivocal, the indisputable, the well-known fact that the "Representatives-elect" from Mississippi were elected by an electoral process which violates the 14th and 15th amendments to the Constitution. The 15th amendment to the Constitution guarantees that the right to vote "shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude."

The right to vote is the essence of democracy. It is the fundamental safeguard of all other rights.

The State of Mississippi has deliberately and systematically denied the right to register and vote to a substantial number of American citizens because of their race. It is no accident that there are approximately 500,000, or 67 percent of the white persons of voting age and approximately 20,000 to 25,000, or only 5 to 6 percent of the Negroes of voting age registered to vote.

According to the Congressional Quarterly, in 1961 the following were the figures for nonwhite registration in each of the five Mississippi congressional districts: First District, 1.3 percent of the nonwhites of voting age registered to vote; Second District, 6.8 percent of the nonwhites of voting age registered to vote; Third District, 9.1 percent of the nonwhites of voting age are registered to vote; Fourth District, 5.1 percent of the nonwhites of voting age registered to vote; Fifth District, 12.3 percent of the nonwhites registered to vote.



The terror, violence and murder perpetrated last summer upon those who attempted to help their fellow citizens exercise their right to vote focused national attention upon the fact that Mississippi tramples upon the U.S. Constitution by denying American citizens the right to vote.

A brief history of the efforts of the State of Mississippi to exclude Negroes from the franchise clearly shows deliberate and consistent violation of the Federal Constitution over the past 75 years.

The Mississippi constitution of 1869 afforded Negro citizens the full right to vote. The next year, in 1870, Congress enacted a statute readmitting Mississippi to representation in the Congress on the condition that Mississippi never amend or change that constitution "as to deprive any citizen or class of citizens of the United States the right to vote."

In 1890 there were in Mississippi 118,890 registered white voters and 189,884 registered Negro voters. In that year, in spite of the 1870 compact with Congress and the 14th and 15th amendment guarantees, Mississippi called a constitutional convention, the purpose of which was described by U.S. Senator George of Mississippi:

When we meet in convention, [it] is to devise such measures, consistent with the Constitution of the United States, as will enable us to maintain a home government under the control of the white people of the State.

The record of the convention reflects, as one delegate put it, "the manifest intention of this convention to secure to the State of Mississippi white supremacy."

In order to attain that unconstitutional goal, the convention adopted section 244 of the Mississippi constitution of 1890, which, with later amendments, is still the law of Mississippi and is still being used to disenfranchise Negroes. As originally adopted, the section required that an applicant for registration read any section of the State constitution or understand it when read to him, or give a reasonable interpretation of it. In 1902 a member of the convention's franchise committee commented upon this requirement:

These several suffrage requirements combined were deemed sufficient for the end in view, as they have so proved in even the blackest parts of the State; they have, as they were intended, reduced the Negro majorities to a negligible political quantity.

This deliberate unconstitutional purpose was successful. In 1890, 60 percent of the voters were Negro. By 1899, when 57 percent of the adult Mississippi population was Negro, less than 10 percent of the electorate was Negro. In 1903 the Clarion-Ledger of Jackson reported:

County registrars have kept the Negroes off the books by strict enforcement of the understanding clause in the Constitution.

Strict enforcement of section 244 succeeded in disenfranchising Negroes in the first half of the century. However, by midcentury, the vast majority of Mississippi Negroes were literate. In 1954, the Mississippi Legislature adopted a resolution to amend section 244, which originally required:

Every qualified elector shall be able to read any section of the constitution of this State, or he shall be able to understand the same when read to him, or give a reasonable interpretation thereof.

The proposed amendment tightened the law by requiring that an applicant "be able to read and write any section of the constitution of the State and give a reasonable interpretation thereof to the county registrar." It also required an applicant be able to demonstrate to the "county registrar a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government," and that he execute a sworn written application for registration on a form prescribed by the State board of election commissioners.

Moreover, the resolution exempted from new requirements those already registered before January 1, 1954. This exempted about two-thirds of the white population and built in a discrimination which will last as long as the lives of those previously registered.

At the time when this resolution was up for adoption by the Mississippi electorate, the chairman of the Association of Citizens' Councils in Mississippi, in urging its passage, explained "the amendment is intended solely to limit Negro registration." The resolution passed and was inserted in the Mississippi constitution.

In 1960 further constitutional amendments designed to keep Negroes from voting were adopted. A requirement that a person be of "good moral character" was added. In anticipation of the passage by the Congress of title III of the Civil Rights Act of 1960, which required local officials to keep and make available to the Attorney General records relating to eligibility of persons for voting in Federal elections, legislation was passed authorizing the destruction of records. One State senator said, "If this bill is going to have any effect, it must be passed before the President signs the civil rights bill."

There are other Mississippi laws designed to deny Negroes the right to vote, including the "perfect form" requirement and the laws requiring publication of names and addresses of applicants for registration.

An applicant for registration must, unaided, execute a letter-perfect form. In 1962 the Court of Appeals for the Fifth Circuit granted a temporary injunction in a case against the registrar of Forrest County. The court found that, while white applicants were being registered without forms or with obviously defective forms and with assistance on forms, qualified Negroes were being rejected because of minor errors on forms which they filled out unaided.

In addition, the Negroes were not advised of the reasons for their rejections and arbitrarily were required to wait for 6 months before reapplying.

A more subtle attempt to prevent Negroes from voting is found in section 3212.7 of the Mississippi Code, which provides that, within 10 days after application to register is made and before consideration is given to the sufficiency of the application, the name and address of the

applicant must be published in a local newspaper. The information must appear once a week for 2 weeks under a heading "Applicants for registration to vote." In most other States such a publication would not matter. In Mississippi, however, it often brings terror, intimidation, violence, and economic reprisals.

I have discussed unconstitutional laws which Mississippi has enacted and enforced successfully to deny the vote to Negroes. But laws are apparently not enough, for there is also economic reprisal, threats, intimidation and violence perpetrated not only on those Negro citizens who dare attempt to exercise their constitutional rights, but on anyone, Negro or white, who tries to assist his fellow citizens in this endeavor. The tragic events of last summer proved this fact to the Nation—indeed to the world.

The ruthless murder of three courageous young men, whose only purpose was to aid others in their effort to vote, shocked the Nation. We know that officials of Mississippi are implicated in this heinous crime.

According to the Justice Department in McComb, Miss., alone, there were from June to October 1964, 17 bombings of churches, homes, and businesses; 32 arrests; 9 beatings; and four church burnings as a result of voter registration and civil rights activity.

Violence and terror in Mississippi to stop Negroes from voting is not a new or isolated phenomenon. The interim report of the U.S. Commission on Civil Rights issued in 1963 spells it out:

Citizens of the United States have been shot, set upon by vicious dogs, beaten and otherwise terrorized because they sought to vote.

The complaint in an action—Council of Federated Organizations, and others versus Rainey, and others—pending in the Court of Appeals for the Fifth Circuit sets forth an appalling series of acts of terror and violence perpetrated upon Mississippi Negroes who had the courage to attempt to register, and upon those, white and Negro, who courageously aided others in attempting to exercise their constitutional right.

Last summer the Council of Federated Organizations—COFO—organized the Mississippi summer project aimed at increasing Negro registration in Mississippi. Before the program got underway, in order to alert the Nation to the flagrant denial of constitutional rights and to the overt terror and violence in Mississippi, hearings were held on June 8, 1964, in Washington before a panel of distinguished Americans. The transcript of these hearings appeared in the CONGRESSIONAL RECORD on June 15 and 16, 1964.

In these hearings statistics became people and the deprivation of constitutional rights became clear. Let me quote part of the testimony of Hartman Turnbow, who described the experience when he and 13 others tried to register to vote:

Mr. FREEDMAN. Did you have any difficulty getting to the registration office?

Mr. TURNBOW. So 14 of us got in our cars. We went to Lexington. We didn't drive our cars up in town. We stopped them outside and we walked uptown.







89TH CONGRESS  
1ST SESSION

# S. 327

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 1965

Mr. MORSE (for himself and Mrs. NEUBERGER) introduced the following bill;  
which was read twice and referred to the Committee on Public Works

---

## A BILL

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes that the States of Oregon,  
4       Washington, California, and Idaho have experienced exten-  
5       sive property loss and damage as the result of floods and high  
6       waters during December 1964 and January 1965 and de-  
7       clares the need for special measures designed to aid and  
8       accelerate these States in their efforts to provide for the  
9       reconstruction of devastated areas.

10       SEC. 2. (a) Notwithstanding section 120 (f) of title 23

1 of the United States Code, the Federal share payable from  
2 the emergency fund authorized by section 125 of such title  
3 on account of any repair or reconstruction of highways on the  
4 Federal-aid highway system of Oregon, Washington, Cali-  
5 fornia, and Idaho, which were damaged or destroyed by the  
6 floods and high waters during December of 1964 and Janu-  
7 ary of 1965 shall be 100 per centum of the cost of such repair  
8 or reconstruction.

9 (b) The Secretary of Agriculture is authorized with  
10 funds and authorizations available to him for the construc-  
11 tion and maintenance of forest development roads and trails,  
12 to undertake either directly or in cooperation with timber  
13 purchasers to restore or reconstruct to such extent as he  
14 deems appropriate any roads and trails which were in the  
15 process of construction by purchasers of national forest timber  
16 and which were destroyed or severely damaged by the floods  
17 of December 1964 and January 1965.

18 (c) There is authorized to be appropriated to carry out  
19 this section, in addition to the amounts authorized by section  
20 125 of title 23, United States Code, not to exceed \$200,-  
21 000,000 for the period ending July 1, 1966.

22 (d) That subsection 120 (f) of title 23, United States  
23 Code, is amended by inserting after the words, "park roads  
24 and trails," the following: "highways, roads and trails on  
25 public lands, roads and trails on wildlife refuge system



1 lands,”: *Provided further*, That subsection 125 (c) of title 23,  
2 United States Code, is amended by inserting after the words,  
3 “park roads and trails,”, the following: “highways, roads and  
4 trails on public lands, roads and trails on wildlife refuge  
5 system lands,”.

6 SEC. 3. (a) The Secretary of Agriculture is authorized  
7 to compromise or release such portion of a borrower’s in-  
8 debtedness under programs administered by the Farmers  
9 Home Administration in Oregon, Washington, California,  
10 and Idaho as he finds necessary because of loss resulting from  
11 the floods and high water during December 1964 and Janu-  
12 ary 1965 and he may refinance outstanding indebtedness of  
13 applicants in such States for loans under section 502 of the  
14 Housing Act of 1949 for the repair, reconstruction, or re-  
15 placement of dwellings or farm buildings lost, destroyed, or  
16 damaged by such causes and securing such outstanding in-  
17 debtedness. Such loans may also be provided for the pur-  
18 chase of building sites, when the original sites cannot be  
19 utilized.

20 (b) The Secretary of Agriculture is authorized to com-  
21 promise or release such portion of a borrower’s indebtedness  
22 under programs administered by the Rural Electrification  
23 Administration in Oregon, Washington, California, and Idaho  
24 as he finds necessary because of loss, destruction, or damage

1 to property resulting from floods and high water during  
2 December 1964 and January 1965.

3 SEC. 4. The Housing and Home Finance Administrator  
4 is authorized to compromise or release such portion of any  
5 note or other obligation held by him with respect to property  
6 in Oregon, Washington, California or Idaho pursuant to  
7 title II of the Housing Amendments of 1955, or included  
8 within the revolving fund for liquidating programs estab-  
9 lished by the Independent Offices Appropriation Act of 1955,  
10 as he finds necessary because of loss, destruction, or damage  
11 to facilities securing such obligations by the floods and high  
12 water during December 1964 and January 1965.

13 SEC. 5. Loans made pursuant to paragraph (1) of sec-  
14 tion 7 (b) of the Small Business Act (15 U.S.C. 636 (b))  
15 for the purpose of replacing, reconstructing, or repairing  
16 dwellings in Oregon, Washington, California, and Idaho,  
17 damaged or destroyed by the floods and high water of De-  
18 cember 1964, and January 1965, may have a maturity of  
19 up to thirty years, except that section 7 (c) of such Act shall  
20 not apply to such loans.

21 SEC. 6. This Act shall not be in effect after June 30,  
22 1966, except with respect to payment of expenditures for  
23 obligations and commitments entered into under this Act  
24 before such date.





---

# A BILL

---

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

By Mr. MORSE and Mrs. NEUBERGER

---

JANUARY 7, 1965

Read twice and referred to the Committee on Public Works

# ORDER FOR RECESS UNTIL NOON TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today that it stand in recess until 12 o'clock tomorrow noon.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 3) extending the date for transmission of the budget and Economic Report.

## DISASTER RELIEF IN OREGON

Mr. MORSE. Mr. President, I ask unanimous consent that I may be permitted to send to the desk a bill in behalf not only of myself and my colleague in the Senate, but the entire Oregon delegation in the Congress dealing with the flood disaster in Oregon. I ask that the bill be appropriately referred, and that I be granted permission to file later this afternoon a statement on the bill.

Mr. CLARK. Mr. President, reserving the right to object to the request of the Senator from Oregon, will the Senator amend his request so as to make it clear that if unanimous consent is granted, the right under the Constitution to amend the rules of the Senate at the opening of each Congress shall not be prejudiced by the granting of the unanimous-consent request of the Senator from Oregon.

Mr. MORSE. I am willing to accept any qualification that must be accepted in order to get the disaster bill to which I have referred before the Senate. It would be beyond my belief or comprehension that the Senate would prevent the introduction of such a bill. The agencies downtown, as well as the Governor of my State and the State government, are calling for immediate action on the disaster bill, and they are certainly entitled to have such action.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I understand that the Senator is agreeable to my qualification of his unanimous-consent request.

Mr. MORSE. I have no objection to any qualification so long as my bill can be introduced and appropriately referred.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. Does the text of the bill which my friend from Oregon is now introducing affect any of the problems which the Senator's neighboring State—my own—will have or does have?

Mr. MORSE. Not at all. I have already joined the Senator from California in his earlier statement calling for action on the entire Pacific coast.

Mr. KUCHEL. Indeed the Senator has.

Mr. MORSE. But I also have an obligation in respect to my own State and its Governor to introduce the bill that seeks to bring consideration and relief to the highways, bridges, and the lumber mills that have been washed out, because we are suffering devastating tragedy, as is the State of the Senator from California. All I am asking is that the bill be introduced. In no way will it impair the Senator's bill. In fact, I am standing shoulder-to-shoulder with him and the Senators from Washington.

Mr. KUCHEL. The bill should be introduced. Once again it points out what my able friend from Oregon has been saying. There should be no delay in the introduction of that proposed legislation.

Mr. MORSE. Mr. President, do I correctly understand that the bill has been received and appropriately referred?

The PRESIDING OFFICER (Mr. INOUYE in the chair). The bill will be received and appropriately referred; and, without objection, the statement of the Senator from Oregon will be printed in the RECORD.

The bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters, introduced by Mr. MORSE (for himself and Mrs. NEUBERGER), was received, read twice by its title, and referred to the Committee on Public Works.

Mr. MORSE. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 327) is as follows:

### S. 327

A bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress hereby recognizes that the States of Oregon, Washington, California, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964 and January 1965, and declares the need for special measures designed to aid and accelerate these States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. (a) Notwithstanding section 120(f) of title 23 of the United States Code, the Federal share payable from the emergency fund authorized by section 125 of such title on account of any repair or reconstruction of highways on the Federal-aid highway system of Oregon, Washington, California, and Idaho, which were damaged or destroyed by the floods and high waters during December of 1964, and January of 1965 shall be 100 percent of the cost of such repair or reconstruction.

(b) The Secretary of Agriculture is authorized with funds and authorizations available to him for the construction and maintenance of forest development roads and trails, to undertake either directly or in cooperation with timber purchasers to restore or reconstruct to such extent as he deems appropriate any roads and trails which were in the process of construction by purchasers of national forest timber and which were destroyed or severely damaged by the floods of December 1964 and January 1965.

(c) There is authorized to be appropriated to carry out this section, in addition to the amounts authorized by section 125 of title 23, United States Code, not to exceed \$200,000,000 for the period ending July 1, 1966.

(d) That subsection 120(f) of title 23, United States Code, is amended by inserting after the words, "park roads and trails," the following: "highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,": *Provided further,* That subsection 125(c) of title 23, United States Code, is amended by inserting after the words, "park roads and trails," the following: "highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,".

SEC. 3. (a) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss resulting from the floods and high waters during December 1964, and January 1965, and he may refinance outstanding indebtedness of applicants in such States for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such causes and securing such outstanding indebtedness. Such loans may also be provided for the purchase of building sites, when the original sites cannot be utilized.

(b) The Secretary of Agriculture is authorized to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss, destruction, or damage of property resulting from floods and high water during December 1964 and January 1965.

SEC. 4. The Housing and Home Finance Administrator is authorized to compromise or release such portion of any note or other obligation held by him with respect to property in Oregon, Washington, California, or Idaho pursuant to title II of the Housing Amendments of 1955, or included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, as he finds necessary because of loss, destruction, or damage to facilities securing such obligations by the floods and high water during December 1964 and January 1965.

SEC. 5. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in Oregon, Washington, California, and Idaho, damaged or destroyed by the floods and high water of December 1964 and January 1965 may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 6. This Act shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act before such date.

The statement subsequently presented by Mr. MORSE is as follows:

## DISASTER RELIEF LEGISLATION FOR OREGON, WASHINGTON, CALIFORNIA, AND IDAHO

On behalf of myself and my colleague, Senator NEUBERGER, I have introduced a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by the disastrous floods and high waters of late December 1964.

Yesterday, I informed my colleagues in the Senate concerning the extent of the devastation wrought by the December flood in the State of Oregon and I stated that today



Senator NEUBERGER and I would introduce in the Senate a bill to provide assistance for the individuals and the States that have experienced appalling degrees of losses and suffering due to the flood.

The bill that is offered today by the two Oregon Senators seeks to provide assistance in several respects. First, on the reconstruction of highways on the Federal aid systems of Oregon, Washington, California, and Idaho, the Federal contribution would constitute 100 percent of the cost of such repair and construction if this bill were to be enacted.

This is a distinct improvement over the present law dealing with the Federal contribution in such cases. For example, today we were advised that the Bureau of Public Roads has allotted \$476,000 for work on the adequate restoration of the John Day River Bridge located on Interstate Highway 80N in Oregon. This allocation represents only 63 percent of the estimated cost of bridge restoration and the State of Oregon must assume the balance of the cost on this almost new interstate highway bridge. In other words, the State of Oregon, which is now burdened with tremendous obligations and losses due to the December floods, must pay a greater share of the restoration than it paid for the original construction of the bridge. This simply does not make good sense in light of the tragic burdens being borne by the State of Oregon at this time.

Our bill would also authorize the Secretary of Agriculture to undertake, either directly or in contracts with timber purchasers, the restoration or reconstruction of forest access roads in the national forest commercial timber areas. The situation in Oregon is particularly acute because scores of forest access roads were washed out, thereby making it impossible to proceed with the completion of timber sale contracts. Unless immediate action can be taken to restore these roads, the economies of many areas of the four affected States will be severely damaged due to the closure of logging operations, sawmills and plywood manufacturing firms. The assistance provided by our bill would speed up this access road reconstruction work to a substantial degree and would be of immeasurable help to many small communities that depend almost entirely on the lumber industry.

The bill we have introduced today would extend the present 100 percent Federal contribution to the cost of repair or reconstruction of highways and trails on the wilderness refuge system lands.

On loans programs administered by the Farmers Home Administration in the four affected States, the Secretary of Agriculture would be authorized to compromise or release the portion of a borrower's indebtedness that reflects the loss resulting from the December and January floods. It would also make assistance available on the refinancing of outstanding indebtedness to cover the cost of repair, reconstruction or replacement of dwellings or farm buildings lost or damaged in the floods.

Comparable relief with respect to indebtedness under the Rural Electrification Administration program would be provided. Obligations held by the Housing and Home Finance Administrator in any of the four States could, in like manner, be compromised or released to the extent found necessary.

The measure we have offered today would authorize a maturity of up to 30 years on Small Business Administration loans designed to cover the cost of replacing, reconstructing or repairing flood damaged or destroyed dwellings.

Unfortunately, the funds now on hand in the Small Business Administration are not adequate to cope with the demands for Small

Business Administration disaster loans in Oregon, Washington, California, and Idaho. We feel that it is imperative that emergency appropriations be made to provide the Small Business Administration with ample funds to carry on its disaster loan programs in the four flood-damaged States. We are now obtaining information concerning the amount required to do the job and as soon as that information is available, we will introduce a bill to achieve this objective.

Bills comparable to our bill have been introduced in the House of Representatives today by Representatives GREEN and ULLMAN, of Oregon. Congressman DUNCAN of Oregon, is working closely with his Oregon colleagues in the House side on these measures and it gives me a great deal of pleasure to indicate to my colleagues that the Oregon delegation in the Congress is working as a unit in an effort to provide every possible assistance that may be available through Congress or governmental sources to flood-stricken individuals and areas of our State.

Mr. RUSSELL addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Georgia.

Mr. RUSSELL. The bill has been introduced, has it not?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUSSELL. The Senator has a constitutional right, if he can get unanimous consent, to introduce a bill, and that action cannot possibly affect any other procedures in the Senate.

Mr. MORSE. That is my view, but I was not going to argue the procedural point so long as I could introduce my bill.

Mr. RUSSELL. Has the Senator from Pennsylvania preserved the Constitution by unanimous consent? I congratulate the Senator for his concern about the Constitution.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

[No. 3 Leg.]

Aiken	Hart	Murphy
Allott	Hartke	Muskie
Anderson	Hayden	Nelson
Bartlett	Hickenlooper	Neuberger
Bass	Hill	Pastore
Bayh	Holland	Pearson
Bennett	Hruska	Pell
Bible	Inouye	Prouty
Boggs	Jackson	Proxmire
Brewster	Javits	Ribicoff
Burdick	Jordan, Idaho	Robertson
Byrd, Va.	Kennedy, N.Y.	Russell
Byrd, W. Va.	Kuchel	Saltonstall
Cannon	Lausche	Scott
Carlson	Long, Mo.	Simpson
Case	Long, La.	Smathers
Clark	Mansfield	Smith
Cooper	McCarthy	Sparkman
Curtis	McClellan	Stennis
Dirksen	McGee	Symington
Dodd	McGovern	Talmadge
Dominick	McNamara	Thurmond
Douglas	Metcalf	Tower
Eastland	Miller	Tydings
Ellender	Mondale	Williams, N.J.
Fannin	Monroney	Williams, Del.
Fong	Montoya	Yarborough
Fulbright	Morse	Young, N. Dak.
Gore	Morton	Young, Ohio
Gruening	Moss	
Harris	Mundt	

The PRESIDING OFFICER (Mr. INOUE in the chair). A quorum is present.

## PROPOSED AMENDMENT OF CLOSURE RULE OF THE SENATE

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. I have heard it rumored that the Presiding Officer who was occupying the chair shortly before the hour of 2 o'clock arrived declared in an inaudible voice that the last clause in the Anderson motion was not in order; namely:

And all rights in existence at the opening of Congress shall be deemed preserved.

I should like to address a parliamentary inquiry to the Chair.

Mr. President, I should like to address a parliamentary inquiry through the Chair to the Official Reporter as to whether such a ruling was made.

The PRESIDING OFFICER. The Parliamentarian has informed the present Presiding Officer that that is so.

Mr. DOUGLAS. Mr. President, if I may speak to this point, this is a very significant and, in my opinion, a very unfair ruling, for this reason. The Anderson proposal was that his resolution would be reported back from the Committee on Rules and Administration on January 25, or nearly 3 weeks from this day.

If the Senate appoints committees during this time, it can be maintained with a great deal of strength that we have accepted the previous rules in toto, including rule XXII and that therefore a motion to change rule XXII is not in order.

This is a very extraordinary ruling. I think no one, except those at the desk, heard the ruling made. It places those who are supporting the Anderson motion at a very grave parliamentary disadvantage.

We would have appealed from the ruling of the Chair if we had known what the ruling was. But, since it was made just prior to 2 o'clock and no one heard it, except those at the desk, it was impossible for us to do so.

I do not know what the procedure is. I have served in the Senate now for 16 years. This is one of the most unfair proceedings that I have witnessed. I do not believe that the Senate should uphold it.

Mr. DIRKSEN. Mr. President, if it is in order, I move now that the Anderson motion has gone to the calendar, and has been called up again, that it be referred to the Committee on Rules and Administration.

The PRESIDING OFFICER. The motion to take up the Anderson motion has not been agreed upon. The resolution of the Senator from Illinois would automatically come up.

Mr. DOUGLAS. Mr. President, I raised two matters, one parliamentary, and one of a substantive nature. If the Anderson motion is taken up and debated, while it is in the process of debate—if committees are organized and if the Senate is organized—can it be maintained in the absence of the wording, that we have tacitly accepted all of







# S. 1638

---

## IN THE SENATE OF THE UNITED STATES

MARCH 29, 1965

Mr. RANDOLPH (by request) introduced the following bill; which was read twice and referred to the Committee on Public Works

---

## A BILL

To increase the limitation on emergency relief for the repair or reconstruction of highways under section 125 of title 23, United States Code.

1     *Be it enacted by the Senate and House of Representa-*  
2     *tives of the United States of America in Congress assembled,*  
3     That section 125 of title 23, United States Code, is amended  
4     to delete the period at the end of the second sentence, and  
5     insert in lieu the following: “, except that this limitation  
6     shall be \$80,000,000 for the fiscal year 1965 and  
7     \$50,000,000 annually thereafter.”



---

**A BILL**

To increase the limitation on emergency relief for the repair or reconstruction of highways under section 125 of title 23, United States Code.

---

By Mr. RANDOLPH

---

MAY 29, 1965

Read twice and referred to the Committee on Public Works







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business Postage and Fees Paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued April 5, 1965

For actions of April 1 (continued)

and April 2, 1965

89th-1st; No. 59-pt.2

### CONTENTS

Adjournment.....7	Farm program.....5,8	Reclamation.....2
Appropriations.....1	Food for peace.....5	Supplemental
Cotton research.....3	Foreign aid.....5,10	appropriations.....1
Disaster relief.....4	Legislative program.....6	Surplus food.....13
Family farm.....11	Milk indemnity.....1	Tobacco.....6
Farm labor.....12	Poverty.....9	

HIGHLIGHTS: Sen. Sparkman commended USDA cotton research program. Sen. Morse urged flood disaster relief for western States. Sen. Morse discussed his amendments to provide new foreign aid program.

### HOUSE (April 2)

1. SUPPLEMENTAL APPROPRIATIONS. The House Appropriations Committee reported (during adjournment) H. R. 7091, the Second Supplemental Appropriation Bill, 1965 (H. Report 224) which includes items for this Department as shown on the table attached to this Digest. In addition to the actions shown, the Committee added language to this bill which would extend the availability of funds for the milk indemnity program from January 31 to June 30, 1965.

SENATE (April 1, Continued)

2. RECLAMATION. Passed as reported S. 254, to authorize the construction and maintenance of the Tualatin Federal reclamation project, Ore. The bill prohibits, for a period of ten years from date of enactment, the use of water of the reclamation project for the production of any basic agricultural commodity in surplus supply, unless the Secretary of Agriculture authorizes the production of such commodity in the interest of national security. pp. 6566-7
3. COTTON RESEARCH. Sen. Sparkman reviewed and commended the results of the cotton research program of this Department, particularly in the development of stretch, flame-resistant, and wrinkle-resistant cotton fabrics, and stated that these developments are promoting wider use of cotton. p. 6533
4. DISASTER RELIEF. Sen. Morse urged enactment of S. 327, to provide flood disaster relief to the western States, and inserted his testimony before the Senate Public Works Committee in support of the bill. pp. 6533-6
5. FOREIGN AID. Sen. Morse submitted and discussed amendments he intends to propose to the foreign aid bill which would provide for the termination by June 30, 1967, of the foreign aid and food for peace programs as presently authorized, and would authorize the President to appoint a committee to recommend new programs by July 1966. pp. 6537-44
5. FARM PROGRAM. Sen. Neuberger criticized the activities of Life Line Foundation, Inc., which she stated was the "Nations's top peddler of rightwing propaganda," and inserted an item stating that Life Line proposes that Federal farm programs be "curtailed or discontinued." pp. 6558-65
6. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the military procurement bill will be considered Mon., Apr. 5, followed by consideration of H. R. 5721, the acreage-poundage tobacco bill. p. 6567
7. ADJOURNED until Mon., Apr. 5. p. 6574

ITEMS IN APPENDIX

8. FARM PROGRAM. Rep. Cohelan inserted a statement, "Goals of Farm Policy: A Comment on Comparable Returns to Farm Labor and Investment as a Goal of Price and Income Policy." pp. A1579-81
9. POVERTY. Rep. Griffiths inserted part one of a series of five articles, "War On Poverty: Is It Boon To Poor--Or Illusion?" pp. A1597-8
10. FOREIGN AID. Extension of remarks of Rep. Horton stating that he does "not believe American aid should continue to Nasser," and inserting a letter giving support to his bill to cut off all aid to the Arab Republic. pp. A1602-3
11. FAMILY FARM. Rep. Nelsen inserted a Grain Terminal Ass'n analysis expressing support for the family farm. p. A1604





United States  
of America

Division of Legislative Reports  
Office of Budget and Finance

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 89<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 111

WASHINGTON, THURSDAY, APRIL 1, 1965

No. 59—Pt. 2

## Senate

(Proceedings of the Senate continued  
from Part 1)

### RESULTS OF AGRICULTURAL RESEARCH

Mr. SPARKMAN. Mr. President, I invite the attention of the Senate to some of the results of research being carried on by the Department of Agriculture. My State has been one of the important beneficiaries of this research, because many of the new discoveries have served to increase the utilization of cotton fabrics. Of course, cotton is one of Alabama's most important farm products, and these new processes and products have significantly benefited income and employment in Alabama. Let me list a few of the new products that have been developed.

First. One of the most important developments, and probably the one most familiar to us, has been a class of finishing agents for imparting wrinkle-resistance and wash-and-wear properties to cotton fabrics. These agents produce a high-quality, durable finish to the fabric which enables cotton to compete successfully with the synthetic fibers. In 1962 alone, it is estimated that over 2 billion yards of cotton fabric were treated with these new finishing agents.

Second. Another development has been stretch fabrics which are opening new markets for cotton. The value of this development for 1963 was over \$5 million at the manufacturer's level. Consumer demand for stretch textiles in both wearing apparel and industrial applications is increasing rapidly. By 1975 it is expected that more than 2¼ million bales of all textile fibers will be devoted to stretch fabrics. Greater elasticity makes cotton a strong competitor in these markets. Over 30 companies—both large and small—are engaged in the production of 100 percent cotton, woven stretch fabrics. Estimated production of 57 million yards for 1964 was more than three times the 1963 production of 17 million yards.

Connected with the development of stretch cotton is the development of a new type of cotton surgical bandage made of a fabric which shrinks in all directions, and has self-clinging and

elastic properties which allow the bandage to conform to the natural contours of the body. The new bandage has proved especially useful in the treatment of burns, and its value in a nuclear war, where burns could be the major type of injury, would be very great. The introduction of this new bandage has reversed the trend toward use of noncotton materials.

Third. Another important development for the cotton industry has been that of durable, flame-resistant cotton fabrics, which are being produced by processes invented and developed in the laboratories of the Department of Agriculture.

There is a real need for fire-retardant cloth in many areas. Hospitals need bedsheets, pillowcases, pajamas, and other necessary linens. In industry, there is a large and growing need for fire-retardant treatment of work clothing. It is estimated that 3 to 5 million workers need this additional protection. The military departments alone are presently using some 5 million yards per year. It can also be expected that consumer items such as sheets, pillowcases, blankets, bedspreads, and drapery fabrics will soon be treated by these new processes.

Mr. President, I have described only a few of the many accomplishments in agricultural research. These new developments are already promoting wider use of cotton and this will be of continued significant benefit to my State and to other cotton-producing States. The Department of Agriculture is to be commended for these important contributions to our economy.

### FLOOD DISASTER IN CALIFORNIA, OREGON, WASHINGTON, AND IDAHO

Mr. MORSE. Mr. President, I ask unanimous consent that the name of the Senator from California [Mr. MURPHY] be added as a cosponsor of S. 327 at the next printing of the bill.

The PRESIDING OFFICER (Mr. KENNEDY of New York in the chair). Without objection, it is so ordered.

Mr. MORSE. Mr. President, S. 327 deals with flood disaster in California,

Oregon, Washington, and Idaho. The bill will soon be considered by the Committee on Public Works. I testified this morning in advance of the reference of the bill to the subcommittee, although it had been referred to the full Committee.

I am pleased to have the Senator from California [Mr. MURPHY] join with us as a cosponsor of the bill. The senior Senator from California [Mr. KUCHEL] has been of great help to us, as have the Senators from Idaho [Mr. CHURCH and Mr. JORDAN] and the Senators from Washington [Mr. MAGNUSON and Mr. JACKSON].

The junior Senator from Oregon [Mrs. NEUBERGER] and I introduced the bill on January 6, 1965.

As I stated to the Committee this morning, we are much disappointed that there has been so long a delay in getting the necessary reports from the executive departments to the Capitol. But I wish to say, in defense of the President of the United States, that that is not his fault. As I stated to the Committee this morning, there have been some stories in the press of Oregon—the anti-Morse press—seeking to leave the implication that the disagreement of senior Senator from Oregon with the administration on certain matters of foreign policy, including foreign aid—and I shall demonstrate that disagreement before I take my seat this afternoon—was having some effect on expediting consideration of the pending legislation for disaster relief.

As I said to the committee, I do not care what they say about me, but I do care what they say about my President. Not a scintilla of fact exists as a basis for that libel of the President.

The President, in cooperation with the two Senators from Oregon, has done everything that he possibly could to try to obtain consideration for this legislation. I have had the privilege of conferring with the President several times. He has given us complete cooperation. Only last week, the President made it clear again that so far as the executive branch of the Government is concerned, he wants the maximum of expedition in the handling of this legislation.

Having mentioned this much, I wish to state that it will be very interesting to watch and see how soon we get huge



sums of money into Chile to help Chile again on the shocking earthquake disaster from which the poor people of Chile are suffering. I am for dispatch in this matter. Congress ought to take note of the different procedure that has to be followed when we have a domestic disaster that affects the lives and welfare of the American people.

I do not object. In fact, I would be one to insist that necessary checks be exercised by Congress in any authorization and appropriation process, even including disasters. I wish someone would try to answer my mail and the mail of the Senators from California, Washington, and Idaho from dissatisfied constituents on this matter. And they have a right to be dissatisfied, when they take note of the dispatch with which we pour millions of dollars into a foreign country for the aid of disaster relief, as we should. But they note the long delay in getting relief to the people of our own country when we have a disaster that goes back to last December, as my testimony of this morning discloses.

I ask unanimous consent that my testimony given before the Committee on Public Works this morning be printed at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, when there is a disaster in which the people of this area have suffered a loss of over \$200 million, it takes some explaining to explain why we should wait from December until now—and we are still in the authorization process—to bring them some relief. Likewise, as I pointed out in my testimony this morning, there is the matter of the roads and bridges that have been washed out in the areas where the lumber mills exist. This presents a matter of employment or unemployment. Mills are closed because we cannot obtain the relief necessary to have timber roads opened up again so that the logs can be transported to the mills.

There seems to be no question, or, at least, I have found no one who raises any question as to the merits of the proposal of Senators and Representatives from the Pacific Northwest. But we are suffering not only the losses from flood, but also great economic losses, because our Government has not risen to its obvious moral and economic obligations, and clearly legislative obligations in regard to that disaster.

I do not like to have to speak this way, in criticism of what I consider to be too long a delay in coming to the disaster relief of the people of the Pacific Northwest.

I could cite many examples. The Bureau of Public Roads wants to help. But as I said in my testimony this morning, the Bureau of Public Roads, so far as available funds are concerned, can help only to the extent of 5 percent of the relief that it would furnish immediately if its funds were built up by the necessary authorizations and appropriations.

It is all right to say that the Bureau will receive the funds sometime in the future, but where is the 95 percent going to come from? These people are broke.

The public funds are nonexistent. I say most respectfully that Congress cannot justify further delay. The departments downtown that have not submitted their reports—as I stated to the President in a letter last week—cannot justify the dilly-dallying that describes their inaction.

At long last, we did get a report from the Bureau of the Budget this morning. We should have had the report 90 days ago. It does not take very long for people to decide whether there is a meritorious demand for disaster relief in our own country.

Contrast this situation with the procedures that will be made available to come to the relief of Chile or any other foreign area through the largess of the American people, because of the recognition of our great moral obligation to a great humanitarian cause created by disaster that has resulted in the suffering of human beings.

I hope it will not be necessary for me to remind Congress and the administration again of the deplorable situation that exists in the States of California, Washington, Oregon, and Idaho. But I shall do so if it becomes necessary.

#### EXHIBIT 1

STATEMENT OF SENATOR WAYNE MORSE BEFORE ROADS SUBCOMMITTEE OF THE SENATE PUBLIC WORKS COMMITTEE ON S. 327, APRIL 1, 1965

Mr. Chairman and members of the subcommittee, as a Senator from the flood-stricken State of Oregon, I am deeply appreciative of your courtesy in having scheduled this hearing. Although S. 327 is not officially before the subcommittee today, the general subject has been referred to the subcommittee. Therefore, I shall discuss the Disaster Relief bill which I introduced on January 7 with my colleague Senator NEUBERGER as cosponsor.

Our bill is designed to provide assistance for the reconstruction of areas damaged by the recent floods and high waters in the Pacific Northwest. I must admit, however, that my testimony may not be as complete as it should be. This is due to the difficulty I have encountered in securing factual information from the Bureau of the Budget and other agencies on the extent of the damage which resulted from the devastating floods of December 1964 and January 1965. It should be of interest to the committee that the two Senators from Oregon, and several Members of the House, were able to draft and introduce legislation within 2 weeks after the occurrence of the west coast flood disaster. It is not unusual for disasters to occur, although it is unusual to have one as large as the one we experienced on the west coast last December. Ample precedent for legislation of this type is provided in the Alaska earthquake legislation, and it is no secret that we relied heavily upon that legislation in preparing our bill.

Over 3 months have elapsed since the date of the flood. The Bureau of the Budget, as of last week, had not been able to submit its views on S. 327. In the meantime, the Federal agencies have been unable to make the necessary long-term plans to go ahead swiftly with work to alleviate the catastrophic damage that swept from the State of Washington well down into California.

#### A MAJOR FLOOD DISASTER

Before giving the subcommittee an analysis of our bill, I should indicate the nature and extent of this catastrophe. As I pointed out to the Senate on January 6, the floods resulted from unusual forces of nature which converged so as to create a condition that

was almost unprecedented in the history of the West. First we had a long hard freeze, which is not at all common in our State. The Willamette Valley which normally has a relatively mild climate, had a deep hard freeze which extended from the valley far up into the Cascade Range to the east. After this freeze we had what is known as a Chinook wind which carried with it warm air and a heavy volume of water. The sudden rise in temperature brought not only the rain, but melted the heavy snow packs in the mountains. The water that was formed from the rain and melting snow did not absorb into the ground and flowed in enormous volumes through the watersheds and into the valleys of the Willamette and its tributaries. Similar developments occurred in eastern Oregon and the result was floods of enormous proportions in areas such as the John Day River Basin, the Grande Ronde River, and other major streams of eastern Oregon.

It is to the everlasting credit of the Congress, and particularly the Public Works Committees, that the flood control dams for which we obtained authorizations and appropriations, saved enormous flood losses. For example, the major multipurpose flood control dams in the Willamette River Basin cut 14 feet off the crest of the December flood waters at Eugene, Oreg., they reduced the crest at Portland by 7 feet. One major flood of this type can reflect, through flood damages prevented, the cost of an entire system of multipurpose river dams. Had this committee and the Congress not had the wisdom and foresight to provide the State of Oregon with these invaluable dams I would have replayed a much more somber story of flood damage this morning.

The damage occasioned by the December and January floods was enormous. Here are estimates of the damages suffered by the four western States of Oregon, Washington, California and Idaho, as supplied by the Office of Emergency Planning on March 29:

[In millions of dollars]

	Public	Private	Total
Oregon.....	95.0	147	242.0
Washington.....	9.0	3	12.0
California.....	140.0	60	200.0
Idaho.....	5.5	2	7.5

#### HIGHWAY REHABILITATION

Turning now to an analysis of S. 327, our bill proposes under section 2(a) that Federal share payable from the emergency fund in section 125 of the act shall be 100 percent of the cost of flood-damage restoration. As the Committee knows, the present authority under the law does not permit emergency contributions to equal, in each instance, the original Federal share of road construction cost. For instance, the original cost of the Interstate Highway System in Oregon is federally financed to the extent of 92.25 percent. Forest highways are financed at a 100-percent Federal level. My position is that the committee could find it in the public interest to permit up to 100 percent of the cost of highway restoration to be borne by the Federal Government. In no event, however, should the Federal share be less than the original Federal contribution to the class of road being restored.

The present law relative to the Federal share payable from the emergency fund produces anomalies. For example, if a bridge on an interstate highway had been constructed in Oregon under the 92.25-percent Federal grant-in-aid and was substantially destroyed in the December flood, the Federal Government would pay only 63.45 percent of the cost of rebuilding the bridge. The State of Oregon, already staggering under the terrific burden of flood losses, would have to contribute a larger share to the restoration of the bridge than it did for the



original cost of the bridge. Section 2(a) of our bill would correct this inequity.

The relief to be provided by section 2(a) is urgently needed, especially when we recall that roads and highways eligible for Federal rehabilitation aid for the States of Oregon, Washington, California, and Idaho, totaled an estimated \$114,211,754 in the floods of December and January. As the law now stands, these States would be called upon to make the following payments toward repairs and reconstruction of these highways and roads: Oregon, \$6,622,466; Washington, \$709,903; California, \$9,770,645; Idaho, \$522,718; a total of \$17,625,732. These States have suffered overwhelming losses in the floods. They should receive help of the type proposed in this bill.

#### TIMBER PURCHASER ROAD RECONSTRUCTION

Section 2(b) of our bill would permit the Secretary of Agriculture to assist timber purchasers, to the extent he deems appropriate, in the restoration of roads and trails being constructed under timber sales.

The committee should take several factors into account in arriving at the final language of this section. First, whatever authority is granted to the Secretary of Agriculture is also needed by the Secretary of the Interior. Both administer timber contracts. In the case of the Secretary of the Interior, I am advised that approximately 225 contracts are involved in flood damage to roads in the process of construction. The estimated damage to these timber-purchaser constructed roads is \$1.25 million. This is primarily in western Oregon.

On the national forests, I have been told that there are approximately 334 contracts (225 involving more than \$1,000 damage) where the total road damage is approximately \$4 million. I emphasize that in these two situations the only roads involved are those in the process of construction by timber purchasers under timber contracts.

S. 327 does not set standards for the Secretary to use in determining the extent to which he will assist timber purchasers. It would be most agreeable to me to have such standards spelled out in the legislation so that a uniform and equitable treatment can be given to all. The system used by the Federal agencies in pricing their timber is to reduce the price for their timber by the estimated cost of constructing essential roads. This is called an allowance by the technical people. The contracts contain no disaster clause and thus, if a timber purchaser suffers a disaster such as this, he is obligated to restore the road out of his own pocket. Legally, I suppose the purchaser-road contractor would be bound by the strict terms of his contract. But the sponsors of S. 327 seek an equitable adjustment, not legal technicalities in these timber access road builder cases.

In my discussions with Federal officials and with people in the industry, I find unanimous agreement that they have never before been confronted with a situation of this magnitude. In the past, there have been individual instances of slides or small washouts, but these have usually been quite minor when compared to the area-wide catastrophe produced by the winter floods of 1964 and 1965. Consequently, I think that there is a clear case for recognizing that the contracting parties simply never contemplated damage of this sweep and magnitude. In my opinion it would be fair and reasonable to provide substantial assistance to the timber purchaser-road contractors. These roads are, in effect, to be paid for out of Federal timber and are the property of the Federal Government; they will continue to be useful to the Federal Government in the management of its forests, in future sales of timber, and for protection and other uses of forest lands. The roads on these lands will continue to be used by the Federal Gov-

ernment in the years ahead. Thus, there is a direct Federal interest in these roads.

Where the timber purchaser has undertaken the construction of one of these roads as required by his contract, and all or a portion of the road under construction has been washed out, he has used up the allowance in the timber appraisal and should not be expected to shoulder the full burden of flood restoration. Thus, I believe that an excellent case can be made for substantial allowances to timber purchasers for rehabilitation of flood-damaged roads on Forest Service and Bureau of Land Management roads.

It was my intent that any damage restored by the timber purchaser prior to the enactment of this legislation would be as eligible for compensation as damage restored after the enactment of this bill. There is some question as to whether S. 327 makes that point clear. Therefore, I suggest that the committee adopt clarifying language. Failure to specify that rehabilitation work undertaken prior to the enactment of this law would be the subject of compensation to the timber purchaser-road contractor, could penalize the timber purchaser who restored the road promptly. This would be inequitable. Of course, the arrangements for compensation should require substantiated evidence upon which the Secretaries could reach their determinations of the estimated value of work claimed to have been performed.

I have been told that some Federal officials suggest a 50-percent compensation for damaged timber-purchaser roads and that the first \$1,000 of the cost be absorbed by the timber purchaser. This appears to be rooted in part in a new section proposed for Forest Service contracts. I view both components of this suggestion as clear examples of parsimony and would urge that the committee carefully study their impact. It might be preferable to have the committee authorize and direct the Secretaries to pick up in full the first thousand dollars in damage. The requirement that purchasers absorb the first thousand dollars could work a hardship on small business.

As to the balance where the damage is great, the committee should weigh the impact that only a 50-percent reimbursement will have. Here, one test should be the measure of damage. To me, the salient point is that the road allowance has been used. Where this occurs, and if there is a subsequent Federal need for the road, the allowance should, in effect, be reinstated to a substantial degree.

It has been suggested by some that the Secretaries of Agriculture and Interior have ample authority to make, through administrative determinations, equitable adjustments to timber operators who restore flood-damaged roads. If the committee should decide that this authority exists and that an amendment such as that suggested in section 2(b) is unnecessary, a statement to that effect in its report on this proposed legislation would be helpful.

At this point, Mr. Chairman, I submit, for inclusion in the record, materials which have been furnished to me by various associations, firms, and individuals in the timber industry. I believe the suggestions contained therein warrant careful study.

#### REPAIR OF COOPERATIVE TIMBER ROADS

Some of the materials I have submitted for the record suggest an amendment to our bill which would provide that where there are cooperative timber road agreements, the Secretaries of Agriculture and Interior should shoulder 100 percent of the cost of restoration of such cooperative roads. I would point out to the committee that these roads are cooperatively constructed and used by the Federal agencies and private timber companies. The normal method of computing the share of costs on such roads is to relate

it to the benefits each obtains from the agreement. The usual measure is the proportion of timber each party has. Thus, if a road serves an area where the Federal timber is 60 percent of the volume and the private timber 40 percent of the volume, costs and road maintenance are shared on this basis. Of course, there are many special provisions which occur when from time to time one party or the other makes heavy use of a road, then the maintenance cost is related to its use.

It is my position that the Federal Government has an obligation to share in the restoration of these cooperator roads but I believe that equity would be done if the Federal contribution were held to the terms of the original agreement. To do more, when unrelated to a directly measured Federal benefit, would be to award a subsidy to the private landowner. In an original agreement that involves 60 percent Federal and 40 percent private cost of the road, the rehabilitation costs should be borne on a 60-40 basis. The suggestion that the Federal Government assume 100 percent of the cost of repairing or reconstructing these cooperator roads, would only have my support as part of a general Federal policy which would give a 100 percent Federal grant to other segments of the private economy suffering from flood disasters such as storeowners, homeowners, and businesses, generally.

Section 2(c) of our bill would increase the emergency fund to \$200 million for the period ending July 1, 1966. The Bureau of Public Roads has requested an increase in the limitation to provide for \$80 million for fiscal year 1965 and \$50 million annually thereafter. If the committee should determine that the Bureau's request is completely adequate to provide emergency funds sufficient to take care of the situation in the Pacific Northwest and other probable developments, I would support the recommendation by the Secretary of Commerce. However, the committee may wish to raise this limitation so as to cover fully all possible contingencies.

Section 2(d) of our bill would expand the types of roads upon which emergency funds can be expended.

In lieu of the language in S. 327, I would suggest that the committee consider the possibility of amending sections 120(f) and 125(c) of title 23, United States Code, by inserting after the words, "forest development roads and trails," the following: "highways, roads, and trails on lands administered by the Secretary of Interior".

This language would be in lieu of the phrase, "park roads and trails, and Indian reservation roads." This would continue the use of these funds for these two classes of roads and would add the other roads on public lands, wildlife refuge, and other special classes of land administered by the Secretary of the Interior.

This seems to me to be a simpler and briefer way of stating the availability of the emergency fund since all of the roads represent Federal responsibility, being on Federal land.

#### OTHER PROVISIONS OF S. 327

The balance of S. 327 relates to programs coming within the jurisdiction of the Farmers Home Administration, the Rural Electrification Administration, the Housing and Home Finance Agency, and the Small Business Administration.

It is my understanding that the Senate Public Works Committee prefers to have these special topics reviewed by the respective committees of the Senate having primary jurisdiction over the subjects of the remaining sections of our bill. Therefore, I have confined my statement to the portions of our bill which come clearly within the jurisdiction of this committee.

I appreciated the opportunity to have presented this statement on behalf of an ex-



tremely important segment of the flood-stricken State of Oregon and I know that the subcommittee and its very able chairman will give thorough and sympathetic consideration to the requests made herein.

**SPEECH BY MR. CHESTER BOWLES,  
AMBASSADOR TO INDIA**

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD a very able speech by the Ambassador to India, Mr. Chester Bowles, made on January 24, 1965, in which he discusses some of the problems of foreign aid to India.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

**SPEECH BY THE HONORABLE CHESTER BOWLES,  
AMBASSADOR OF THE UNITED STATES TO INDIA,  
AT THE SHARAVATHY HYDEL INAUGURATION**

The American people are proud and pleased to contribute capital and equipment for the building of this great hydroelectric plant. And I am personally grateful for the invitation of your Chief Minister to join with you in this impressive ceremony.

But precisely why should an American Ambassador be taking part in this dedication of an Indian dam, on an Indian river, running entirely through Indian soil, into the Arabian Sea?

I cannot add significantly to the praise which the Indian planners, engineers, and workers have earned by their great achievement. Nor can I say anything fresh or new about the momentous contribution the dam will make to the people of Mysore and south India—the thousands of newly lighted villages, the hundreds of new small industrial plants, and the scores of larger factories.

But what I can do is help answer a basic question on which there is much confusion both in your country and my own: Why have the American people who live on the other side of the world been loaning or giving India each year Rs.225 crores in dollars plus an equal sum in wheat, rice, and other commodities to speed India's ambitious development plans?

In our annual congressional and public debates over what we call foreign economic assistance a variety of claims are put forward to justify these expenditures to our American taxpayers.

Some advocates, for instance, argue that our contribution to overseas development will win us friends in India and elsewhere in Asia, Africa, and Latin America. I sincerely hope that this dam and the other assistance we are giving India will contribute to this end, and I can assure you that there is a deep and genuine spirit of friendship in the United States toward India, her leaders, and her people.

Yet if our friendship continues to grow I do not believe it will be the result of the capital loans, wheat, and rice which we send each year to India. In this context I am reminded of Mark Twain's remark to a contentious neighbor: "Why is it that you criticize me so? I cannot for the life of me remember ever having loaned you any money."

Indeed, our own American history should be enough to persuade us that recipient nations are not always grateful for foreign assistance. In the 19th century, for example, the United Kingdom invested literally billions of pounds in the building of American railroads and industry. Yet even today only a minority of Americans are conscious of the massive British contribution to our early economic development.

So, it would be a mistake for us Americans to have any illusions on this score. We earnestly seek the friendship of India, but we know that your friendship is no more

for sale now than was our own in the critical early years of our development.

A second answer to the much discussed question of, Why American aid? is related to the first: By helping India's economic development it is suggested that we may bring you into closer agreement with America's approach to current international questions.

In my opinion this answer is no more valid than the first. Indeed, some nations which we have assisted seem to go out of their way to criticize various aspects of American foreign policy in order to demonstrate to their own people and the world that U.S. aid money had not undermined their independence. I confess that no more than one occasion in the last 10 years this thought has passed through my mind here in India.

We will, of course, continue to seek common ground with India on international questions. But we know that such agreement carries no price tag. So, again we shall have to seek an answer elsewhere.

A third response to the question, Why American aid? is that our American economic assistance program is a moral obligation which we, as the richest Nation in history, are dutybound to assume. Four years ago, President Kennedy emphasized this point in his inaugural address:

"To those peoples," he said, "in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period—not because the Communists may be doing it, not because we seek their votes, but because it is morally right."

Those of you who have visited my country will testify that America's sense of moral commitment runs deep. A recent dramatic demonstration of it is the Peace Corps under which some 75,000 dedicated young Americans apply each year for opportunities to work almost without pay in the urban slums and rural areas of Asia, Africa, and Latin America. Twelve thousand are now abroad; several hundred of them are here in India with a contingent in Mysore State itself.

Yet the American tradition of overseas service provides only part of the answer to our question.

The rest of the answer grows out of a concept which a hundred years ago or even 30 years ago would have been hard for either you or us to understand, but which in our modern era is overriding.

After two world wars, most Americans have come to see that our own security and prosperity cannot be isolated from that of the rest of the globe.

Whether we all like it or not, whether we always agree with each other or not, we are all members of the human race. Consequently, our common future depends on our ability to live together rationally on our increasingly crowded and turbulent planet.

As our world grows smaller, each nation, large or small, has a growing stake in the behavior of everyone else.

In the postwar years, Stalin's intransigence concerned us all. More recently, when an irresponsible China threatened India with a conflict which might have extended throughout Asia, the security of every man, woman and child in America was involved in some degree.

Nor does our mutual interest in a more rational world stop with matters of aggression and military defense.

If we Americans should flounder and fall in our efforts to provide an increasing measure of prosperity, opportunity and dignity for all of our citizens under a free government, the impact would be ultimately felt in every Asian, African and Latin American village.

Similarly, unless the poverty, malnutrition and illiteracy of countries such as India

are met and mastered there can be no hope for security and prosperity in the more privileged countries of the world.

Furthermore, because of new technologies the economic interdependence of all nations is rapidly increasing. In today's world the continuing dynamism and growth of the American economy would be impossible without expanding foreign trade. And for India and other developing countries increasing trade with the more highly developed nations equally essential if an adequate rate of growth is to be achieved and maintained.

In this sense, every living American—indeed, everyone everywhere who believes in peace and human freedom—has a deep personal stake in the success of the unprecedented development effort which has been undertaken by free India.

The industrial revolution which in the 19th century laid the basis for the present prosperity of Western Europe and America involved a heavy cost in human suffering which was vividly described by Charles Dickens.

Under different circumstances and through different methods the Soviet Union under Stalin concentrated Russia's energies and resources on building industrial and military capacity regardless of the consequences to the Russian people.

Today, democratic India seeks what would have been beyond the reach of any developing country not so many years ago: a rapid rate of national economic growth side by side with increasing direct social and material benefits for the individual.

Your success or failure as a nation rests not only on your ability to construct great dams, new factories and more miles of railroad tracks. Equally important is your capacity to build a society which offers a steadily increasing measure of dignity, opportunity, and social justice to each individual.

This calls for higher real incomes and improved living conditions for your urban people, and the right to landownership and fair crop prices for your cultivators.

This twin objective requires bold pragmatic national planning, the wise use of all available domestic resources, a keen sensitivity to human suffering and enlightened political and economic leadership.

It also requires a substantial amount of capital and technical assistance from the more privileged nations so that the present generation need not be sacrificed for the sake of its grandchildren.

Not only the amount of foreign assistance which you receive but also its nature and the manner in which it is provided are of crucial significance.

In this regard, we Americans have come to see from hard experience that not all developing nations have the will or the ability to do what India is striving to do, and when these qualities are lacking, the effectiveness of our aid is blunted.

For these reasons, we are concentrating our assistance in those countries which are prepared to use their own resources to pursue realistic development practices and where there is a certain degree of mutual respect and understanding.

We consider Sharavathy a prime example of the proper and constructive use of American assistance. It is part of a carefully conceived and well-integrated program for the development of south India. Its planning and engineering were completely Indian.

Sharavathy will promote massive employment; it will encourage rural electrification; and it will permit the establishment of dynamic new industries which will earn foreign exchange to pay for similar projects in the future.

You could have built this great project without American assistance. But with such assistance you were able to build it sooner, and without sacrificing other important







April 8, 1965

13. REORGANIZATION. The Rules Committee reported a resolution for consideration of H. R. 4623, to extend permanently the authority of the President to transmit reorganization plans to Congress under the Reorganization Act of 1949. p. 7183
14. WATER POLLUTION. Rep. Saylor recommended "emphasized research in the field of water pollution", and suggested close scrutiny of a report, "The Disposal of Municipal Sewage." pp. 7187-8
15. FOOD. Rep. Grabowski commended and inserted an article, "The Last Frontier," reporting on work being done in the Antarctic area involving research on forms of wildlife, mineral deposits and food forms. pp. 7219-25
16. FEDERAL-STATE PROGRAMS. Received from GAO a report of "inadequate administrative controls" over Federal Funds used for financing Federal-State programs, Dept. of Labor. p. 7228
17. MEDICARE. Passed by a vote of 313 to 115, without amendment, H. R. 6675, to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, and to improve the Federal-State public assistance programs. pp. 7091-183, 7186, 7193, 7211-16, 7227
18. HOUSING. A subcommittee of the Government Operations Committee voted to report to the full committee H. R. 6927, to create a Department of Housing and Urban Development. p. D281
19. FLOOD CONTROL. A subcommittee of the Public Works Committee voted to report to the full committee H. R. 798, to provide assistance to the States of Calif., Ore., Wash., and Idaho for the reconstruction of areas damaged by recent floods and high waters. p. D281
20. MANPOWER. The "Daily Digest" states that conferees "agreed to a 3-year extension of the Manpower Development and Training Act of 1962." p. D282
21. URBAN RENEWAL. Rep. Widnall inserted a magazine article, "The Failure of Urban Renewal--A Critique and Some Proposals." pp. 7206-11
22. ADJOURNED until Mon., Apr. 12. p. 7228

ITEMS IN APPENDIX

23. ELECTRIFICATION. Extension of remarks of Rep. Pepper opposing proposed legislation which would deprive the Federal Power Commission of its authority to regulate interstate wholesale electric sales. pp. A1724-7
24. FARM PROGRAM. Rep. Harvey inserted an article on the President's farm bill, "Farmer and the Market." pp. A1729-30  
Extension of remarks of Rep. Culver commending and inserting an article, "Johnson on Agriculture", and stating that it emphasizes the "overwhelming interdependency" of urban and rural America. p. A1745



25. EDUCATION. Speech in the House by Rep. Hechler supporting the proposed Elementary and Secondary Education Act. pp. A1731-2
26. PATENTS. Rep. Brown inserted a speech calling attention "to the plight" of the independent inventor. pp. A1733-4
27. SMALL BUSINESS. Rep. Williams inserted an address by Eugene P. Foley, SBA Administrator, explaining the functions and scope of his agency. pp. 441740-1
28. RECREATION; WATER RESOURCES. Extension of remarks of Rep. Stanton inserting 3 radio broadcasts on the importance of water resources development and the improvement of recreational facilities. p. A1743

#### BILLS INTRODUCED

29. RESEARCH. H. R. 7301 by Rep. Hanna, to provide for expanded research in oceans and the Great Lakes, to establish a National Oceanographic Council; to Merchant Marine and Fisheries Committee.  
H. R. 7312 by Rep. Tupper, to provide for the best care, welfare, and safeguards against suffering for certain animals used for scientific purposes without impeding necessary research; to Interstate and Foreign Commerce.  
H. R. 7335 by Rep. McVicker and H. R. 7339 by Rep. Fulton, Pennsylvania, to promote economic growth by supporting State and regional centers to place the findings of science usefully in the hands of American enterprise; to Interstate and Foreign Commerce Committee. Remarks of Rep. McVicker p. 7226
30. PUBLIC WORKS. H. R. 7302 by Rep. Huot and H. R. 7314 by Rep. Wright, to provide grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions; to Public Works Committee.
31. PERSONNEL. S. 1745 by Sen. Sparkman, to amend the Civil Service Retirement Act, as amended, to provide for the recomputation of annuities of certain retired employees who elected reduced annuities at the time of retirement in order to provide survivor annuities for their spouses, and for the recomputation of survivor annuities for the surviving spouses of certain former employees who died in service or after retirement; to Post Office and Civil Service Committee.  
H. R. 7322 by Rep. May, to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments; to Post Office and Civil Service Committee.
32. FARM LABOR. H. R. 7317 by Rep. Dyal, to encourage the States to extend coverage under their State unemployment compensation laws to agricultural labor; to Ways and Means Committee.
33. ELECTRIFICATION. H. R. 7334 by Rep. Hosmer, to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources; to Interior and Insular Affairs Committee.

89TH CONGRESS  
1ST SESSION

# H. R. 7303

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 1965

Mr. JOHNSON of California introduced the following bill; which was referred to the Committee on Public Works

---

## A BILL

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes (1) that the States of  
4       California, Oregon, Washington, Nevada, and Idaho have  
5       experienced extensive property loss and damage as the  
6       result of floods and high waters during December 1964,  
7       and January and February 1965, (2) that much of the  
8       affected area is federally owned and administered, and (3)  
9       that the livelihood of the people in the area is dependent on  
10      prompt restoration of transportation facilities, and therefore

1 Congress declares the need for special measures designed  
2 to aid and accelerate those States in their efforts to provide  
3 for the reconstruction of devastated areas.

4 SEC. 2. (a) Notwithstanding section 120 (f) of title 23  
5 of the United States Code, the Federal share payable from  
6 the emergency fund authorized by section 125 of such title  
7 on account of any repair or reconstruction of highways on  
8 the Federal-aid highway system of California, Oregon, Wash-  
9 ington, Nevada, and Idaho, which were damaged or de-  
10 stroyed by the floods and high waters during December  
11 1964, and January and February 1965, shall be 100 per  
12 centum of the cost of such repair or reconstruction.

13 (b) There is authorized to be appropriated to carry  
14 out this section, in addition to the amounts authorized by sec-  
15 tion 125 of title 23, United States Code, not to exceed  
16 \$80,000,000 for the period ending June 30, 1966.

17 SEC. 3. (a) The Secretaries of Agriculture and Interior  
18 are each authorized to undertake either directly or in co-  
19 operation with timber purchasers, the provisions of existing  
20 timber sales contracts notwithstanding, to restore or recon-  
21 struct or to compensate for authorized emergency restora-  
22 tion to such extent as he deems appropriate for the protec-  
23 tion and management of federally administered property, any  
24 roads and trails which were in the process of construction or  
25 required to be maintained by purchasers of timber from lands



1 administered by such Secretary and which were destroyed  
2 or severely damaged by the floods of December 1964, and  
3 January and February 1965. There is authorized to be  
4 appropriated to carry out this subsection for the period end-  
5 ing June 30, 1966, not to exceed \$15,000,000 to the Secre-  
6 tary of the Interior, and not to exceed \$2,500,000 to the  
7 Secretary of Agriculture.

8 (b) Paragraph (3) of section 2 of the Federal-Aid  
9 Highway Act of 1964 is amended to read as follows:

10 “(3) For forest development roads and trails, \$125,-  
11 000,000 for the fiscal year ending June 30, 1966, of which  
12 not to exceed \$40,000,000 shall be used solely for the con-  
13 struction, repair, and reconstruction of forest development  
14 roads and trails in the States of California, Oregon, Washing-  
15 ton, Nevada, and Idaho necessary because of the floods and  
16 high waters in such States during December 1964, and  
17 January and February 1965, and \$85,000,000 for the fiscal  
18 year ending June 30, 1967.”

19 (c) The Secretary of Agriculture is authorized to reduce  
20 to seven days the minimum period of advance public notice  
21 required by the first section of the Act of June 4, 1897 (16  
22 U.S.C. 476), in connection with the sale of timber from  
23 national forests, whenever the Secretary determines that the  
24 sale of such timber will assist in the reconstruction of any  
25 area of California, Oregon, Washington, Nevada, and Idaho

1 damaged by floods or high waters during December 1964,  
2 and January and February 1965.

3 SEC. 4. (a) The President is authorized to reimburse  
4 common carriers by railroad, whose trackage was damaged  
5 or destroyed as a result of the floods and high waters during  
6 December 1964 and January and February 1965, and whose  
7 facilities are necessary in the transportation of freight, for  
8 removal of debris and wreckage and for streambank stabiliza-  
9 tion and repair work, including the cost of revetment, rip-  
10 rap, protective, and other work, on public or private lands,  
11 designed to repair and prevent the recurrence of damage  
12 by floods or high waters to the banks of waterways adjacent  
13 to the trackage of such carriers.

14 (b) There is authorized to be appropriated to carry  
15 out this section not to exceed \$5,000,000 for the period  
16 ending June 30, 1966.

17 SEC. 5. (a) The Secretary of Agriculture is authorized  
18 to compromise or release such portion of a borrower's indebt-  
19 edness under programs administered by the Farmers Home  
20 Administration in California, Oregon, Washington, Nevada,  
21 and Idaho as he finds necessary because of loss resulting  
22 from the floods and high waters during December 1964, and  
23 January and February 1965, and he may refinance out-  
24 standing indebtedness of applicants in such States for loans  
25 under section 502 of the Housing Act of 1949 for the

1 repair, reconstruction, or replacement of dwellings or farm  
2 buildings lost, destroyed, or damaged by such causes and  
3 securing such outstanding indebtedness. Such loans may  
4 also be provided for the purchase of building sites when  
5 the original sites cannot be utilized.

6 (b) The Secretary of Agriculture is authorized to com-  
7 promise or release such portion of a borrower's indebtedness  
8 under programs administered by the Rural Electrification  
9 Administration in California, Oregon, Washington, Nevada,  
10 and Idaho as he finds necessary because of loss, destruction,  
11 or damage of property resulting from floods and high waters  
12 during December 1964, and January and February 1965.

13 SEC. 6. The Housing and Home Finance Administrator  
14 is authorized to compromise or release such portion of any  
15 note or other obligation held by him with respect to prop-  
16 erty in California, Oregon, Washington, Nevada, or Idaho  
17 pursuant to title II of the Housing Amendments of 1955,  
18 or included within the revolving fund for liquidating pro-  
19 grams established by the Independent Offices Appropriation  
20 Act of 1955, as he finds necessary because of loss, destruc-  
21 tion, or damage to facilities securing such obligations by  
22 the floods and high waters during December 1964, and  
23 January and February 1965.

24 SEC. 7. Loans made pursuant to paragraph (1) of  
25 section 7 (b) of the Small Business Act (15 U.S.C. 636



1 (b) ) for the purpose of replacing, reconstructing, or re-  
2 pairing dwellings in California, Oregon, Washington, Ne-  
3 vada, and Idaho, damaged or destroyed by the floods and  
4 high waters of December 1964, and January and February  
5 1965, may have a maturity of up to thirty years, except  
6 that section 7 (c) of such Act shall not apply to such loans.

7 SEC. 8. This Act, other than the amendment made by  
8 section 3 (b), shall not be in effect after June 30, 1966,  
9 except with respect to payment of expenditures for obliga-  
10 tions and commitments entered into under this Act on  
11 or before such date.

12 SEC. 9. This Act may be cited as the "Pacific North-  
13 west Disaster Relief Act of 1965".



---

---

# A BILL

---

---

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

---

By Mr. JOHNSON of California

---

---

APRIL 8, 1965

Referred to the Committee on Public Works







# Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued April 12, 1965

For actions of April 9, 1965

89th-1st; No. 64

## CONTENTS

Journalment.....	13	Forestry.....	20	Research.....	4
Appropriations.....	21,22	Lands.....	20	Retirement.....	9
Attorneys.....	17	Loans.....	25	Soil conservation.....	11
Credit banks.....	24	Manpower.....	3	Supplemental	
Disaster relief.....	6	National parks.....	10	appropriations.....	22
Education.....	1	Personnel.....	9	Textiles....	8
Electrification.....	19	Poverty.....	18	User charges.....	11
Farm labor.....	5,15	Reclamation.....	28	Water pollution.....	26
FHA loans.....	16,25	Recreation.....	14	Water resources.....	7
Foreign aid.....	27	Reorganization.....	2,23		

**HIGHLIGHTS:** Senate received Appropriations Committee report on proposed closing of certain USDA research stations. Several Senators debated farm labor situation. Senate subcommittee approved northwest flood disaster relief bill. Senate passed bill to extend Reorganization Act. Sen. Mondale urged Federal aid for flood disaster relief in Minn. Sen. McNamara introduced and discussed bill to expand poverty program.

## SENATE

1. **EDUCATION.** By a vote of 73 to 18, passed without amendment H. R. 2362, the proposed Elementary and Secondary Education Act of 1965 (pp. 7343-71, 7400-02, 7405-6, 7410-52). This bill will now be sent to the President. The bill extends for two years, until June 30, 1968, authorization for Federal assistance to schools in federally impacted areas.
2. **REORGANIZATION.** Passed as reported S. 1135, to extend until Dec. 31, 1968, the authority of the President to transmit reorganization plans to the Congress under the Reorganization Act of 1949. pp. 7498-9



3. MANPOWER. Received and agreed to the conference report on S. 974, to extend the Manpower Development and Training Act until June 30, 1969, and to transfer the training provisions of the Area Redevelopment Act to this Act.  
pp. 7402-5
4. RESEARCH. Sen. Holland submitted the report of the Appropriations Committee on the results of its investigation of the proposed elimination of certain research stations and lines of research by the Department. The report recommends that the Secretary of Agriculture establish a Research Review Committee "to examine fully each and every line of the agricultural research conducted by the Department and by the State experiment stations," and to make a report on the results of the study to the Appropriations Committee within the next 60 days. (S. Rept. 156) pp. 7452-8
5. FARM LABOR. Several Senators debated the farm labor situation and inserted items on the matter. pp. 7371-98
6. DISASTER RELIEF. The Subcommittee on Public Roads of the Public Works Committee approved for full committee consideration S. 327, to provide Federal assistance to Ore., Wash., Calif., and Idaho for reconstruction of areas damaged by recent floods (amended so as to include the text of S. 1638, to increase the limitation of emergency relief on repair of highways). p. D286  
Sen. Mondale urged Federal agencies, including this Department, to provide disaster relief assistance to Minn. as a result of recent flooding in the State. pp. 7476-7
7. WATER RESOURCES. Senate conferees were appointed on S. 21, the proposed Water Resources Planning Act (pp. 7407-10). House conferees have not yet been appointed.
8. TEXTILES. The Commerce Committee reported with amendment S. 1129, to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product (S. Rept. 161). p. 7458
9. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 2594, to clarify the application of retirement increase legislation to certain retired Federal employees (S. Rept. 158). p. 7458
10. NATIONAL PARKS. Passed as reported S. 339, to provide for the establishment of the Agate Fossil Beds National Monument, Nebr. pp. 7499-7500
11. USER CHARGES; SOIL CONSERVATION. Sen. Young, N. Dak., inserted an article critical of the proposed user charge on SCS technical assistance to farmers and ranchers. pp. 7480-1
12. CONSERVATION. Sen. McGovern inserted an address by Assistant Secretary of the Interior Holum requiring water resource development and conservation activities. pp. 7494-6
13. ADJOURNED until Tues., Apr. 13. p. 7503







# Digest of CONGRESSIONAL PROCEEDINGS

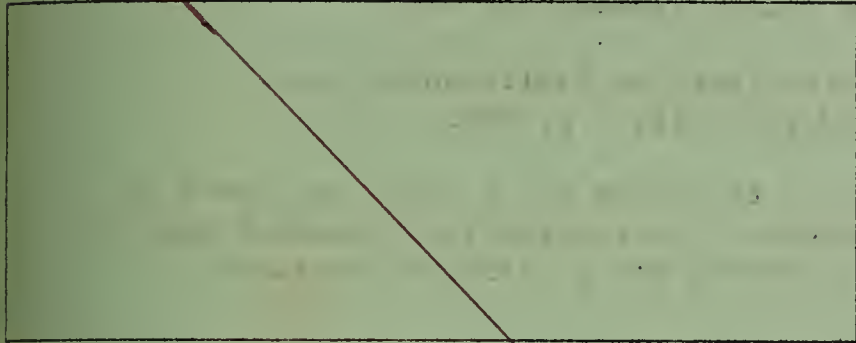
## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
Washington, D. C. 20250  
Official Business Postage and Fees paid  
U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued April 14, 1965  
For actions of April 13, 1965  
89th; 1st; No. 66



### CONTENTS

Accounting.....51	Fisheries.....59	Personnel.....5,32,40,50
Adjournment.....23	Flood control	Pesticides.....7
Air pollution.....49	and relief.....29	Political activity.....50
Appalachia.....12	Food stamps.....10	Poverty.....20,36
Appropriations.....12	Foreign aid.....13,38	Research.....18,40
Area redevelopment.....28	Foreign trade.....16,43	Reclamation.....27,55
Buildings.....26	Forestry.....6,31,51	Research stations.....40
CCC borrowing.....34	Fruits and vegetables...44	Retirement.....5,50
Committees.....18	GAO reports.....19,32	SCS user charges.....9,37
Containers.....44	Grazing.....31	Silk.....33
Cooperatives.....11	Holidays.....56	Soybeans.....8
Crop insurance.....19,53	Income tax.....50	Stockpiling.....33
Disaster relief....2,29,54	Intergovernmental	Textiles.....4
Drug stamps.....57	relations.....48	Tobacco.....47
Economics.....14	Labor standards.....42	Trade fairs.....43
Education.....39	Legislative	Transportation.....45
Electrification...11,17,52	accomplishments.....22	User charges.....9,37
Expenditures.....21	Loans.....41	Water resources.....1,25
Farm labor.....15	Manpower.....24	Water systems.....41
Farm program.....30,35,60	Naval stores.....46	Watersheds.....3
FCIC.....19	Organization.....59	Wildlife.....58,59

HIGHLIGHTS: Senate committee voted to report northwest flood disaster relief bill. Sen. Thurmond commended increased soybean production in S. C. Sen. Stennis urged expanded forest research program. Sen. Hruska inserted Rep. Whitten's speech on pesticide problem. Sen. Aiken introduced and discussed bill to authorize FHA loans for rural water supply systems.

SENATE

1. WATER RESOURCES. Passed as reported S. 1229, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects. pp. 7623-7
2. DISASTER RELIEF. The Public Works Committee<sup>ordered</sup> reported with amendment S. 327, to provide Federal assistance to Ore., Wash., Calif., and Idaho for the reconstruction of areas damaged by recent floods. p. D295
3. WATERSHEDS. The "Daily Digest" states that the Public Works Committee "approved several pending watershed projects." p. D295
4. TEXTILES. Passed as reported S. 1129, to permit the listing on labels of fibers constituting less than 5 percent of a textile fiber product when it is clearly established that such an amount has a definite functional significance. p. 7583
5. PERSONNEL. Passed without amendment H. R. 2594, to clarify the designation of persons who are entitled to receive increased retirement annuities under legislation enacted in 1958 and 1962. This bill will now be sent to the President. pp. 7580-1
6. FORESTRY. Sen. Stennis commended the Secretary's report, "A National Forestry Research Program," and urged increased funds for forest research. pp. 7635-7  
Sen. Magnuson inserted items discussing the adverse affects of recent floods in the northwest on the timber industry. pp. 7607-8
7. PESTICIDES. Sen. Hruska inserted and commended a recent address by Rep. Whitten defending the use of pesticides on crops. pp. 7604-7
8. SOYBEANS. Sen. Thurmond commended increased soybean production in S. C. and inserted tables on soybean production in S. C. and the U. S. pp. 7589-91
9. USER CHARGES; SOIL CONSERVATION. Sen. Tower expressed concern over drought conditions in the Plains States and criticized the proposed user charge on SCS technical assistance to farmers and ranchers. pp. 7575-6  
Sen. Harris inserted an Okla. Cattlemen's Assoc. resolution opposing the proposed SCS user charge. p. 7579
10. FOOD STAMPS. Received a Mont. Senate resolution urging that all eligible area in the State be permitted to participate in the food stamp program. p. 7543
11. COOPERATIVES. Sen. Mundt commended cooperatives as "an essential part of the private enterprise structure," and inserted an article commending rural electrification cooperatives. pp. 7612-3
12. APPALACHIA; APPROPRIATIONS. Sen. Byrd, W. Va., inserted his testimony before the Senate Appropriations Subcommittee on Deficiencies and Supplementals in support of the budget requests for financing the Appalachian Regional Development program. pp. 7613-6
13. FOREIGN AID. Sen. Proxmire commended the Alliance for Progress as a "big new triumph of American foreign policy." pp. 7629-31







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees paid

U. S. Department of Agriculture

Issued April 23, 1965

For actions of April 22, 1965

89th-1st; No. 71

### CONTENTS

Adjournment.....	11	Electrification.....	4	SCS user charges.....	14
Cigarettes.....	19	Farm program.....	2,15	Small business.....	16
Civil service.....	3	Flood control.....	22	Soil conservation.....	14
Committee assignments....	3	Inflation.....	7	Transportation.....	8
Contracts.....	18	Labeling.....	19	User charges.....	16
Cotton.....	9	Personnel.....	3,6,21	Virgin Islands.....	10
Data processing.....	12	Roads.....	20	Water resources.....	5
Disaster relief.....	1	Saline water.....	10	Wildlife.....	20
Education.....	13	School lunch.....	17		

HIGHLIGHTS: Senate committee reported Northwest flood disaster relief bill. House committee reported bill to improve national transportation system. Sen. Mondale inserted Vice President Humphrey's speech commending farm program. Sen. Proxmire introduced and discussed bill to provide additional disaster relief loans.

### SENATE

1. DISASTER RELIEF. The Public Works Committee reported with amendments S. 327, to provide Federal assistance to Ore., Wash., Calif., and Idaho for the reconstruction of areas damaged by floods (S. Rept. 166). p. 7952  
Sens. Young, O., and Bayh commended the President's trip to the Midwest to inspect damage caused by recent tornados and inserted statements by the President pledging Federal assistance in damaged areas. pp. 7963, 7995-6
2. FARM PROGRAM. Sen. Mondale inserted Vice President Humphrey's speech to the National Farmers Union Convention reviewing agricultural conditions and commending the administration's farm program. pp. 7994-5

Sen. Murphy inserted a speech by W. B. Camp analyzing agricultural conditions and commending advances in farm technology and production. pp. 7998-800

Sen. Ervin inserted Sen. Talmadge's Jefferson-Jackson Day speech commending Sen. Jordan, N. C., and Rep. Cooley for their efforts in behalf of agriculture pp. 7955-7

3. COMMITTEE ASSIGNMENTS; PERSONNEL. Sen. Monroney was elected chairman of the Post Office and Civil Service Committee. p. 7948

4. ELECTRIFICATION. Received from the Federal Power Commission two proposed bills to amend the Federal Power Act so as to encourage and facilitate the construction of extra-high-voltage electric transmission lines in the public interest, and to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; to Commerce Committee. p. 7949

5. WATER RESOURCES. Sen. Kuchel inserted his speech reviewing water resource developments in Calif., and "the growing problem of water shortage from the Colorado River." pp. 7961-2

6. PERSONNEL. Sen. Brewster commended the announcement that early hearings will be held on his bill, S. 1474, to amend the Hatch Political Activities Act so as to enable Federal Employees to participate more fully in local civic and political affairs. p. 7979

7. INFLATION. Sen. Miller inserted a series of editorials on the dangers of inflation. pp. 8038-41

#### HOUSE

8. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendment H. R. 5401, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system (H. Rept. 253). p. 7946

9. COTTON. Rep. Findley inserted an article from America's Textile Reporter "challenging my contention that textile mills are on the receiving end of a half-billion-dollar subsidy as the result of the new cotton program enacted last year," and his reply to the magazine article defending his position. pp. 7941-3

10. VIRGIN ISLANDS. Both Houses received the report of the Virgin Islands Corporation on the operation of its saline water plant in St. Thomas. pp. 7946, 7950

11. ADJOURNED until Mon., Apr. 26. p. 7945

#### ITEMS IN APPENDIX

12. DATA. Extension of remarks of Rep. MacGregor inserting a statement from the president of Control Data Corp. announcing the establishment of a computer training school to train high school graduates for positions as electronic technicians in the computer industry. p. A1923



## PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

APRIL 22, 1965.—Ordered to be printed

Mr. RANDOLPH, from the Committee on Public Works, submitted the following

### REPORT

[To accompany S. 327]

The Committee on Public Works, to whom was referred the bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are shown in *italic type* in the bill.

#### THE NEED FOR S. 327

During Christmas week, 1964, and again in January and February 1965 the States of Oregon, California, Washington, and Idaho were struck by catastrophic floods which were unprecedented in terms of high water and subsequent damage to roads, farms, residences, and industrial installations.

The abnormal weather conditions of warm rain falling on snow and frozen ground which caused the floods were summarized in the U.S. Weather Bureau publication "Pacific Northwest Monthly Precipitation and Temperature," December 1964, as follows:

December 1964 will long be remembered in Oregon and southern Idaho for the unprecedented winter rainfall which fell during the period December 19–27. \* \* \* Precipitation for the month was 200 percent or more of average southeast of a line extending from Brookings, Oreg., Yakima, Wash., Spokane, Wash., Kalispell, Mont. Over much of this area the precipitation for the December just past far exceeded that for any previous December. \* \* \* The series of storms moving inland from the Southwest during the period December 19–27 brought abnormally heavy precipitation over

Oregon and southern Idaho. Prior to the beginning of the storm, the ground was frozen and snow covered over nearly all areas of the Pacific Northwest. This combination of warm rain falling on frozen ground and snow resulted in the greatest winter flood on record in western Oregon and in a number of other basins east of the Cascade Range. \* \* \*

The same publication revealed the extent of runoff created by the abnormal precipitation:

Runoff in December ranged from high to record high for December over southern Washington, all of Oregon, nearly all of Idaho. \* \* \* Floods of record or near-record proportions occurred in all of this area \* \* \* in the last 10 days of the month. Eighteen deaths in Oregon and two in Idaho were attributed to this flood. \* \* \* Runoff was low in only a few rivers in the region.

The floods brought destruction or extensive damage to more than 12,000 homes, serious economic dislocation of some 18,000 families, disruption of industrial facilities, and widespread destruction of transportation facilities.

Estimates of the Office of Emergency Planning, supplied on March 29, place the total damages incurred in the flood-stricken area at \$461,500,000:

	Public	Private	Total
Oregon.....	\$95,000,000	\$147,000,000	\$242,000,000
Washington.....	9,000,000	3,000,000	12,000,000
California.....	140,000,000	60,000,000	200,000,000
Idaho.....	5,500,000	2,000,000	7,500,000
Total.....	249,500,000	212,000,000	461,500,000

Though the committee does not minimize the extent of this destruction, it should be noted that the above damages would have been greatly exceeded but for the protection of existing flood control projects. In the Willamette Basin alone, projects authorized by the Congress and constructed by the Corps of Engineers prevented some \$572 million worth of damage, a figure exceeding the total cost of all facilities constructed in the basin.

Of most critical importance to the economy of the region was the disruption and destruction of transportation facilities. S. 327 is principally addressed to the problems of reconstructing and restoring these facilities.

The Bureau of Public Roads of the U.S. Department of Commerce estimates that the Federal share of reconstructing Federal-aid and forest highways will be \$56 million. Under Public Law 88-658 the basic 50-percent Federal share is increased by a percentage equal to the percentage which the area of certain nontaxable Indian and public domain lands is to the total land area of the State. Thus, the presently authorized matching Federal share for the States involved in S. 327 is: California 59.78, Idaho 62.91, Oregon 63.45, and Washington 53.51 percent of the cost of emergency repairs to the A-B-C and Interstate System highways located in these States.

Of the total \$56 million required by the Bureau of Public Roads, \$8.1 million has already been approved under existing authorizations;



an additional \$4 million can be financed under present authorizations, leaving an unfunded balance of \$44 million.

The Forest Service reported damages to approximately 12,000 miles of forest development roads and trails under its administration, with a cost of restoration of approximately \$47 million. Of this amount, \$3 million will be reprogramed and \$8 million will be financed from unused authorizations, leaving an unfunded balance of \$36 million.

In addition to the damages to Government-owned forest development roads and trails, there were damages in excess of \$3 million to roads constructed under timber purchase contracts with the Forest Service and with the Bureau of Land Management of the Department of the Interior. These roads, in various stages of completion at the time the floods struck, were constructed by purchasers of Government timber according to standards and specifications of the Forest Service and the Bureau of Land Management. On completion, they will be accepted by the respective administrative agencies and will become part of the federally owned and administered system of forest development roads and trails.

Finally, in assessing the damages to vital transportation facilities, the committee notes the extensive destruction of trackage, bridge and embankment structures, and other facilities of the Northwestern Pacific Railroad on the Eel River, Calif. Management of the railroad has estimated total damages of \$10.7 million, including an estimated \$3,625,000 required for minimum bank stabilization and protective works necessary to prevent further damage from floods or high water. Though the committee does not propose that the railroad be reimbursed for damages to its trackage or for clearance of debris and wreckage, S. 327 would authorize \$250,000 for a survey of the Eel River and would authorize the necessary funds to perform the stream-bank stabilization work recommended by the Secretary of the Army on the basis of the survey.

### MAJOR PROVISIONS OF THE BILL

#### SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

The forest industry is a major segment of the economy of the Pacific Northwest, with much of the industry being dependent for its raw material supply on lands owned by the Federal Government. In the four States which come under the provisions of S. 327, the federally owned forests comprise 44,508,000 acres, or 56 percent of all commercial forest land, and provide 54 percent of the total timber supply of these four States.

Approximately 400,000 people in the region are employed by the industry, and in Oregon alone it provides a payroll of \$470 million for 80,000 people and directly generates approximately 60 percent of the income of that State. Thus, it is imperative that access to both public and private commercial forest lands be restored as quickly as possible in order to avoid further severe economic dislocation in the region.

In western Oregon, where the Federal Government owns two-thirds of the timber, impaired access to Federal forests has already created significant unemployment. Log inventories are abnormally low for



this time of year, and because of impaired access they were not replaced in many areas where winter and early spring logging are normally conducted. A survey made in early March of 142 forest products operations employing 26,285 persons in western Oregon and southwestern Washington revealed 15 mills which would have to close and lay off 1,721 persons if access to Federal forests were not quickly restored so that logging could be resumed.

Section 2 of the bill would facilitate this action by authorizing the Secretaries of Agriculture and the Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods.

At the time of these floods, many purchasers of timber from lands under the jurisdiction of the Secretaries of Agriculture and the Interior were in the process of constructing roads under the terms of their timber sale contracts. Some had substantially completed the construction of such roads but the roads had not been accepted. The damage to roads of this type was in many instances severe. In some instances the actual road location was either destroyed or so damaged that the replacement road would have to be constructed on a new location. Thus, the damage resulting from the floods has made it necessary to reconstruct all or portions of many roads for which the timber purchasers were responsible under their timber sale contracts. Also, the flood damage has in some instances resulted in such changed conditions that the estimated cost of completing the construction of roads which had been partially constructed will exceed the original estimated cost.

Section 2(a) supersedes existing timber sale contracts which would impose the entire loss on the purchaser, and provides that the purchaser shall bear 15 percent of the costs of reconstruction and restoration, up to a maximum cost to the purchaser of \$4,500; the Government shall bear 85 percent of the costs, and 100 percent of all amounts above \$30,000 on a single timber purchase contract.

It is the intention of the Committee that the provisions of subsection (a) of section 2, including the provisions for proration, shall apply to the entire cost of restoring or reconstructing those portions of roads which timber purchasers had wholly or partially constructed prior to the floods but which had not yet been accepted. The provisions also apply to that portion of the estimated cost of completing road construction not accomplished prior to the floods which exceeds the road construction costs originally estimated for such portions where the excess was the result of changed conditions brought about by the floods. The estimates of cost in each case would be made by the appropriate Secretary's representative.

In the case of roads that timber purchasers were required to construct under their timber sale contracts on which work had not been started at the time of the floods, the provisions of subsection (a) of section 2 would also apply to that portion of the current estimate of road construction costs which exceeds the original estimate because of changed conditions resulting from the floods. For work not performed prior to the floods, and for which the original cost estimates still prevail, costs shall be assigned under the terms of the original timber contract.

Thus, section 2(a) provides for reimbursement for three kinds of costs:

1. Costs necessary to reproduce in replica work formerly done which was destroyed by the floods.

2. Costs necessary to replace the damaged or destroyed facility in a new location because the old location is no longer usable as a result of the floods.

3. Costs in excess of original estimates for contemplated construction which had not been performed but which costs will be incurred upon constructing the needed facility.

The reimbursements authorized in this section are mandatory, not permissive, and are in recognition of the Government's responsibility as a landowner and proprietor. The small deductible of 15 percent is in recognition that the operator should take some of the risks of normal winter maintenance on roads which have not stabilized. But it also recognizes that such natural catastrophes as floods and earthquakes are an inherent risk of landownership and provides that contracts may be adjusted so that the Government assumes a major share of such risk of loss if damage occurs. This principle is equitable to both the Government and the purchasers of its timber.

Section 3(b) provides the Secretaries with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement.

#### INCREASED AUTHORIZATION FOR EMERGENCY FUNDS FOR FEDERAL-AID HIGHWAY SYSTEMS

Section 3(a) would amend section 125 of title 23, United States Code, to increase the annual authorization for emergency road funds for the Federal-aid systems from \$30 to \$80 million for fiscal year 1965 and \$50 million for each fiscal year thereafter.

The recommended increase of \$50 million in the authorization for fiscal year 1965 would provide for the estimated \$44 million of unfunded reconstruction work on the Federal-aid systems required to restore the flood damages, and the annual increase after fiscal year 1965 from \$30 to \$50 million is consistent with the increasing flood damages due to the growth in the capital investment in the Nation's highway system.

This emergency fund is not cumulative; it is the product of annual replenishment, and withdrawals for this purpose from the highway trust fund will be reimbursed by appropriations from the general fund.

#### INCREASED AUTHORIZATION FOR FOREST DEVELOPMENT ROADS AND TRAILS FOR FISCAL YEAR 1966

Section 4 would authorize an additional \$38 million for forest development roads and trails for the fiscal year ending June 30, 1966, bringing the total authorization for that year to \$123 million. This section stipulates that the additional \$38 million shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, and Idaho damaged by the recent floods.

The \$38 million recommended by the committee will finance the remaining unfunded balance of repair work on the 12,000 miles of



damaged roads reported by the Forest Service, which is estimated at \$36 million, and will provide \$2 million to enable the Government to reimburse timber purchasers in accordance with the provisions of section 2(a) of S. 327. The committee assumes that this authority will be administered by the Forest Service as part of its general construction program for forest development roads and trails.

#### REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the disastrous storms and floods in the Pacific Northwest last winter has been the complete disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. Until this access can be restored, other sources of timber must be provided if the affected industries are to continue operation. Otherwise, communities dependent on the timber industry will face the imminent prospect of mills shut down and severe unemployment.

To help avert this condition, section 5 would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

#### COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY ON PUBLIC LANDS

Because of the havoc created by the floods and high waters, persons seeking to perfect their rights in entries under the various public land laws have been disadvantaged. Section 6 would grant authority to the Secretary of the Interior to suspend the time limits embodied in those laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters.

#### MATURITY DATE OF LOANS MADE UNDER THE SMALL BUSINESS ACT

In many cases a person whose home has been destroyed or extensively damaged is placed in serious financial straits. Although his resources may be very limited, he must find some means of financing replacement or repairs and, at the same time, continue meeting his existing mortgage obligations. Thus the Small Business Administration is often compelled to refuse a loan because the applicant cannot demonstrate ability to repay on a 20-year amortization basis.

Section 7 of S. 327 would amend the Small Business Act to allow for the maturity of such loans up to 30 years.

#### SURVEY OF BANK STABILIZATION OF THE EEL RIVER, CALIF., AND PROVISION FOR REIMBURSEMENT OF WORK PERFORMED

Of primary importance to a large area of northwestern California is the restoration of the Northwestern Pacific Railroad, which carries approximately 80 percent of the freight in its service area—an area in which the timber industry comprises 70 percent of the economy.

Northwestern Pacific Railroad lines extend from San Rafael, Calif., to Eureka, Calif., a distance of about 285 miles. For approximately



100 miles the line follows the precipitous canyon of the Eel River, between Longvale, 30 miles north of Willits, and the river's outlet to the Pacific in the Eureka area. It was this 100-mile section which was virtually wiped out by the flooding of the Eel River during Christmas week of 1964.

In some areas, not only were the rails washed away, but also the complete roadbed, including the protective riprap between the river and the roadbed. Huge redwood logs, carried by the raging floodwaters, knocked out three large steel bridges and in many areas completely covered the trackage.

The cost of restoring the line has been estimated by the management of the Northwestern Pacific at \$10,700,000, including \$3,625,000 in protective works to stabilize the streambanks and prevent further damage from recurrent floods or high water.

The railway management has acted with great dispatch and with high regard for its responsibility to the economy of the region by taking emergency action to restore the lines and resume operations at the earliest possible date. Between 750 and 800 workmen have been employed with much overtime work at 10 different locations. As of April 12 the company had expended in excess of \$5,600,000 on reconstruction work.

S. 327 would not authorize reimbursement of the line for such items of work as wreckage and debris clearance or reconstruction of its trackage. In addition to this kind of work, however, and of major importance in expediting the restoration of the railroad and in preventing further permanent damage, is correction of the Eel River channel by providing essential minimum riprap protection along the stream channel. This would include clearing the channel where debris, large boulders, and rocky point projections in the channel forced the stream against the river channel and subsequently undermined the railroad embankment. Much of this work is not on the railroad right-of-way.

Section 8(a) would authorize the Secretary of the Army to conduct a survey of the Eel River to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to the railroad lines, and directs the Secretary to report to the Committees on Public Works of the Senate and the House of Representatives within 120 days. By resolution the committees would authorize the Secretary to perform such recommended work as the committees approve and to reimburse the Northwestern Pacific for its expenditures on such approved work prior to the date of adoption of the resolution.

Section 8(b) authorizes the expenditure of \$250,000 from funds already appropriated for general investigations.

Section 8(c) authorizes the appropriation of such funds as may be necessary for carrying out work and making reimbursements authorized in accordance with this section.

#### TERMINATION

Section 9 stipulates that except for sections 3, 4, and 8, and except for payment of expenditures for obligations and commitments entered into prior to June 30, 1966, this act will not be in effect after June 30, 1966.

## TITLE

Section 10 entitled the act as the "Pacific Northwest Disaster Relief Act of 1965."

## COMMITTEE RECOMMENDATIONS

The committee recommends enactment of S. 327, as amended. Although private landowners and Federal agencies have moved with dispatch to restore transportation facilities within their respective capabilities and areas of responsibility, the authority and funds provided in S. 327 are essential in the effort to avert greater economic dislocation and severe unemployment in the forest products industry of the Pacific Northwest.

## COMMITTEE AMENDMENT

The committee has amended S. 327 by striking all after the enacting clause and substituting new language.

## REPORTS ON THE BILL FROM EXECUTIVE DEPARTMENTS

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., March 8, 1965.

HON. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your letter of January 19, 1965, to the Director, requesting our views on S. 327, to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

We have just made a roundup of administrative actions being undertaken by departments and agencies in these States. In addition to emergency services which are being provided by many departments and agencies and coordinated by the Office of Emergency Planning, a number of significant activities designed to help individuals and the local economy are moving ahead.

The Department of Agriculture has reprogramed funds for emergency conservation and restoration measures on farmland. Allocations in excess of \$3 million have been made. A supplemental appropriation request for conservation funds in the amount of \$10 million has already been sent to the Congress. CCC-owned feed grains have been donated and made available at reduced prices.

With respect to roads, bridges, and major culverts, over \$8 million of contract authority has been apportioned for immediate use on the forest development roads and trails system. Additional authority will be sought as the work progresses. The Interior Department has surveyed damage to Indian, Bureau of Land Management, and national park road systems, is allocating available funds for their rehabilitation, and will seek funds necessary to complete road reconstruction.

Because of the loss of roads and facilities, both Interior and Agriculture are taking steps to get timber operators back in business



through changes in the timber sales program and through shifting of contracts. The Bureau of Public Roads has made estimates of damage to A-B-C, interstate, and forest highway roads, is channeling available funds for emergency reconstruction to this area, and will be seeking an increase in its emergency authority at an early date.

The Farmers Home Administration has moved into the area with its emergency loan and other financial assistance programs. The Small Business Administration is making loans to businesses and homeowners which are expected to total \$30 million. Part of this amount will be provided from the supplemental request of \$100 million now pending before the Congress. SBA has contacted banks in the area to encourage participation in these loans.

With respect to the legislation on which you have requested our views, we believe there are some problems. The provisions concerning road systems of the Commerce, Agriculture, and Interior Departments would effect a major change in financing and, as can be seen above, these Departments are at work with existing funds and where necessary will be requesting funds for the rapid rehabilitation of damaged roads, trails, and highways. We recognize that there is a new problem on repair and rehabilitation of roads developed by timber purchasers which had not been turned over to the Government prior to the floods. We are working on a policy for dealing with this problem on systems of both the Agriculture and Interior Departments.

Several of the provisions in these bills are patterned after legislation enacted as a result of the Alaska earthquake to meet the conditions prevailing in Alaska. These must be assessed in terms of their applicability to other disaster situations, including those in the Northwest. After the Alaska earthquake, the President requested the Office of Emergency Planning to examine past experience, and to review Federal assistance policies and programs in dealing with disasters. We expect to have some advice on this very shortly and this will help us substantially in giving your committee constructive views on these bills.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

---

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., March 31, 1965.

HON. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: In our letter to you of March 8, 1965, concerning S. 327, to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters, we stated that we were working on a policy for dealing with the problem of roads developed by timber purchasers which had not been turned over to the Government prior to the floods.

We are pleased to inform you that a policy has been worked out and that problems of the agencies have been resolved. We believe



that the following proposed language provides a reasonable approach to the problem of timber purchaser roads which have sustained damage in these States during the recent floods:

"Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred on the damage or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 percent of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

The Departments of Agriculture and Interior will be glad to furnish additional information concerning the proposal.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

---

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,  
Washington, D.C., April 5, 1965.

HON. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for our views on S. 327, to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Section 2 of the bill, which is concerned with repair and rehabilitation of highways damaged by the floods, contains the following provisions:

Increase the Federal share payable for the repair and reconstruction of flood-damaged Federal-aid highways in the four States concerned to 100 percent;

Authorize the Secretary of Agriculture to restore or reconstruct roads and trails in the four States involved which were in the process of construction by purchasers of national forest timber when floods destroyed or severely damaged them;

Authorize an additional \$200 million for the Bureau of Public Roads emergency fund for the purpose of carrying out section 2 provisions;

Include "highways, roads, and trails on public lands, [and] roads and trails on wildlife refuge system lands" among the roads eligible for Bureau of Public Roads emergency relief funds.

With respect to the provision relating to the restoration of roads constructed by timber purchasers, we have carefully considered with the Departments of Agriculture and Interior what an appropriate form of relief should be, and have developed an alternative proposal. The reports of Agriculture and Interior on the bill contain the proposed substitute language and we recommend its enactment.

With respect to the other provisions in section 2 of the bill, we concur generally in the comments and recommendations made by the Department of Commerce in its report. Accordingly, we recommend against enactment of these provisions.

The remaining sections of the bill (3, 4, and 5) contain the following provisions:

Authority to (a) compromise or release the indebtedness of borrowers under programs of the Farmers Home Administration and (b) refinance outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949 and (c) provide loans for the purchase of building sites when original sites cannot be utilized;

Authority to compromise or release a borrower's indebtedness under programs administered by the Rural Electrification Administration;

Authority to compromise or release notes or other obligations for certain community facilities under programs of the Housing and Home Finance Agency;

Increase maximum maturities of disaster loans made by the Small Business Administration to replace, reconstruct, or repair dwellings up to 30 years.

The above provisions would apply only to the recent floods in the four States concerned and would be in effect only until June 30, 1966.

The provisions of sections 3, 4, and 5 are very similar to those found in amendments to the Alaska Omnibus Act as a result of the earthquake of March 1964. The amendments to that act, however, were designed to meet the problems of a new State with a small population and extremely limited financial and material resources. We do not believe that the situation in the four States involved here is sufficiently like the one which confronted Alaska to justify of itself the extension of such provisions to the present case.

It is our view that disaster relief measures should generally be applicable to all sections of the country and should be handled as amendments to basic statutes, rather than special legislation to meet particular disaster situations. What disaster relief measures should be undertaken by the Federal Government in addition to those already authorized by existing law is currently being intensively studied in the executive branch. The Office of Emergency Planning at the direction of the President is examining several aspects of Federal policy with respect to disasters. The Housing and Home Finance Agency has also been asked by the President to undertake a study of disaster insurance, and S. 408, which has been passed by the Senate,



would authorize the Housing and Home Finance Agency to undertake a study of alternative methods, including insurance, of giving financial assistance to victims of natural disasters.

We have examined the proposed measures included in sections 3, 4, and 5 in the light of the above considerations and believe that two of the proposals merit serious consideration as general measures to assist in disaster situations. The first is authority to enable the Small Business Administration to establish maturities of disaster loans for dwellings up to 30 years in cases of extreme hardship. The second is authority to refinance outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949 and to provide loans for the purchase of building sites when original sites cannot be utilized. The Small Business Administration is planning to submit a draft bill to amend the Small Business Act to accomplish the first proposal. Similarly, Agriculture is considering legislation to accomplish the second.

In its report to your committee, the Department of Agriculture indicates that the Farmers Home Administration has authority to compromise, adjust, or cancel indebtedness under certain circumstances and therefore does not believe there is a need at this time for additional debt-settlement authority. It also states that it does not believe at this time that there is need for authority to compromise or release portions of a borrower's indebtedness under its Rural Electrification Administration program. In its report to your committee, the Housing and Home Finance Agency states that no facilities secured by obligations under its community facility programs included in the bill appear to have been damaged by the floods and high waters of December 1964 and January 1965 and accordingly that the authority to compromise or release these obligations would provide no benefit to localities in the affected States.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

---

DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., April 1, 1965.*

Hon. PAT McNAMARA,  
*Chairman, Committee on Public Works,*  
*U.S. Senate.*

DEAR MR. CHAIRMAN: This is in reply to your request of January 19, 1965, for a report on S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

It is our view that, as a general rule, appropriate disaster relief measures should be applicable to all sections of the country and should be handled as amendments to the regular statutes rather than legislation relating to specific disaster situations.

*Forest Service*

Section 2(b) would authorize this Department to restore or reconstruct forest roads and trails which were in the process of construction by purchasers of national forest timber and which were destroyed or severely damaged by the floods of December 1964 and January 1965.



The floods caused by the storms of December 1964 and January 1965 exceeded any known in the areas. Major damage occurred in Oregon, Washington, California, and Idaho and was concentrated in substantial portions of 18 national forests. Damage also occurred in other national forests. Most damage on the national forests was to roads, bridges, and major culverts, with damage also to recreation developments and administrative facilities.

Task forces were immediately organized by the Forest Service to make a preliminary review of damage estimates. Early stages of the floods did considerable damage to national forest areas which were later covered with heavy snowfall. We were thus able to examine only about 75 percent of the total, but this gives us a sound base for estimating the total damage.

Areas examined showed that 9,090 miles of roads currently on the Forest Service forest development roads and trails system and 581 bridges and major culverts were completely destroyed or made unusable.

In addition to those roads and trails which were already a part of the forest development roads and trails system, many miles of roads which, upon acceptance by the Forest Service, would become part of that system were in the process of construction by purchasers of national forest timber under the terms of the timber sale contracts. Damage to these by the storms was also severe.

The transportation system which serves the national forests is actually an interlinking of State highways, county roads, forest highways, and the forest development roads and trails. Restoration of all component parts of the total system is urgent. While we are interested in the restoration of all damages, only the forest development roads and trails are the direct responsibility of this Department.

The economy of the innumerable communities and the livelihood of hundreds of thousands of persons in the area are dependent upon continued operation of the industries which must obtain their raw materials and move their products over the roads and highways of the area. Protection, development, and utilization of the national forests and their resources cannot go forward without an adequate forest roads and trails system connecting with the rest of the total transportation system.

Aside from the need for their protection and the importance of the use of other national forest resources, the 18 national forests in which damage was concentrated have an allowable annual cut of timber of 3.9 billion board feet. This is a very substantial part of the total timber volume handled by the timber industries, which provide leading support for the economy of the area.

Temporary restoration of use of key segments of the forest roads and trails through emergency measures is moving forward rapidly, but full restoration is essential. Our current estimate of the total damage to the roads and trails, including bridges and major culverts, which were already part of the forest development roads and trails system, is \$47 million.

There is a special problem in connection with the restoration of roads in the process of being constructed by timber purchasers. There are roads which purchasers of national forest timber have the responsibility of constructing under the terms of their timber sale contracts. They are the roads which are not in place at the time the

timber sale is made but are essential to the logging operation. The ones with which we are presently concerned are those which, upon completion of construction by the timber purchaser, and upon acceptance by the Forest Service, will become part of the forest development roads and trails system. The completion of these roads is a prerequisite to log production from the timber sale area. Log production is a most difficult phase of getting the forest products industries in the flood-stricken areas back to normal activity.

On certain national forests, notably the Six Rivers and Klamath National Forests in California, damage to these roads has been severe and losses by individual purchasers are beyond their capacity to absorb. Damage to this type of road grades out to a degree of loss which purchasers are accustomed to experience in severe winters.

Allowance for the cost of these roads is made in the timber appraisal. Thus the Federal Government, through the timber, in effect bears the cost. Where damage has been severe there is a clear need for public participation in the restoration of these road facilities if unemployment and hardship are to be avoided. Failure to assure the prompt restoration of these roads would sacrifice a large measure of the benefits which would accrue from other phases of the restoration activities.

Those roads constructed by timber purchasers, or portions thereof which have been accepted by the Forest Service as meeting construction specifications, are a restoration responsibility within the discretion of this Department. Such accepted roads are in the same status as other parts of the forest development roads and trails system. This is not the case for roads in the process of construction by timber purchasers.

Where major damage has occurred to these roads which were in the process of being constructed, the responsibility for restoration is more than a timber purchaser can be expected to carry. There is a joint interest by the timber purchaser and the United States to restore them. The timber purchaser needs the roads to go forward with his timber operation to obtain raw materials for the continued operation of his manufacturing plant and the continued employment of the men working in the plant and in the woods. If the mills shut down because of lack of logs the affected communities would suffer disastrous effects from unemployment. The Government needs these roads rebuilt to continue its harvesting program and for administration and protection of the national forests.

In order to differentiate between major losses on which some sharing of restoration should be borne by the Government, and minor losses which timber purchasers over many years have traditionally borne, we recommend that the bill be amended by revising section 2(b) to read as follows:

"Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the



Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 percent of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

Because of heavy snowfall immediately after flood conditions, a large portion of these purchaser construction roads could not be examined. Sufficient is known, however, to make a reasonably sound estimate of damage. Such damage is concentrated on eight national forests in Oregon and California. Estimated damage on these forests totals \$3,500,000. In fiscal year 1964, 2.5 billion board feet of timber were cut on these eight national forests. Additional damage to purchaser-built roads of approximately \$500,000 occurred on 22 other national forests.

In consideration of the restoration job as a whole much must and can be undertaken immediately, but the total reconstruction job will of necessity be programed over a 2- to 3-year period. We propose to use authority now available to the Secretary of Agriculture for the protection and management of the national forests to accomplish the required restoration work. Steps are underway to determine the amount of additional funds which would be needed in fiscal year 1966. An appropriation request will be made to the Congress as part of the regular budgetary process. It will, therefore, not be necessary to amend the Federal Aid Highway Acts of 1962 and 1964 to authorize additional sums for forest roads and trails. This forest roads and trails work will need to be correlated with the regular forest roads and trails construction and maintenance activity for which this Department is also responsible.

Another effect of these disastrous storms of December 1964 and January 1965 has been that the access to sources of timber supply from the national forests for the wood-using industries has in many instances been cut off completely or seriously impaired. Until this access can be restored other sources of timber must be provided if the affected industries are to continue operation. Otherwise the communities dependent upon and people employed by these industries will face the results of mills shut down and people unemployed. We are endeavoring to reprogram timber sales to the fullest extent possible and are making progress. However, under present authority the Forest Service must advertise timber sales in excess of \$2,000 in value for at least 30 days. Advertisement must, of course, follow sale preparation.

To remedy this we recommend that authority be granted to make timber sales after not less than 7 days' advertising. This could be



accomplished by amending S. 327 by adding to the present section 3 a new subsection following line 2 on page 4 as follows:

“(c) The Secretary of Agriculture is authorized, within areas in which wood-using industries are dependent upon timber from the areas of Oregon, Washington, California, and Idaho affected by the floods of December 1964 and January 1965, and without regard to any requirement for a longer advertisement, to make sales of national forest timber upon advertisement thereof in the prescribed manner for a period of not less than seven days.”

*Farmers Home Administration*

Section 3(a) of the bill would authorize the Secretary of Agriculture to compromise or release such portion of a borrower's indebtedness under programs administered by the Farmers Home Administration as he finds necessary in the above-named States because of loss resulting from floods and high water during December 1964 and January 1965. In addition, the Secretary would be authorized to refinance the outstanding indebtedness of applicants for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings lost, destroyed, or damaged by such floods, including the purchase of new building sites when the original sites cannot be used.

The Farmers Home Administration has authority to compromise, adjust, or cancel indebtedness under certain conditions and does not believe there is a need at this time for additional debt-settlement authority. The Department does believe, however, that it is hampered in dealing with hardship situations because it lacks authority to refinance outstanding indebtedness of certain applicants for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction, or replacement of dwellings or farm buildings. Authority to provide for the purchase of building sites when the original site cannot be utilized would appear to be useful. The Department is now considering the possibility of recommending such an amendment to the Housing Act.

*Rural Electrification Administration*

Section 3(b) would authorize the Secretary of Agriculture to compromise or release such portion of a borrower's indebtedness under programs administered by the Rural Electrification Administration in Oregon, Washington, California, and Idaho as he finds necessary because of loss, destruction, or damage to property resulting from floods and high water during December 1964 and January 1965.

Preliminary reports indicate that no catastrophic damage was suffered by REA-financed systems in the four States covered by the bill. Estimates of losses received so far total approximately \$600,000 for 27 electrification borrowers and approximately \$500,000 for 7 telephone borrowers. In view of the financing authority under existing law, it is not believed at this time that there is a need for relief of the type provided by S. 327 for any of these borrowers.

The Bureau of the Budget advises that there is no objection to presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

CHARLES S. MURPHY,  
*Under Secretary.*

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
Washington, D.C.

HON. PAT McNAMARA,  
Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.

DEAR Mr. CHAIRMAN: This is in further reply to your request for the views of the Department of Commerce concerning S. 327, a bill to provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Sections 120 and 125 of title 23, United States Code, presently govern the repair and reconstruction of highways, roads, and trails which have suffered serious damage as a result of disaster over a wide area. The damage to highways as a result of the December 1964 and January 1965 floods in California, Idaho, Oregon, and Washington qualifies for Federal assistance under these provisions, but the \$30 million annual authorization for such relief is not sufficient to cover the emergency needs of fiscal year 1965 because of their unusual magnitude. To remedy this, the Department on March 22, 1965, recommended enactment of draft legislation to amend section 125 of title 23, United States Code, to provide a temporary increase in the amount authorized for the current fiscal year from \$30 to \$80 million and for a permanent increase in succeeding fiscal years to \$50 million. This legislation has now been introduced as S. 1638.

The Federal share of the cost of repairs to all Federal-aid systems, as specified by subsection 120(f), is normally 50 percent. Public Law 88-658 amended this amount to provide that the basic 50 percent be increased by a percent equal to the percentage which the area of certain nontaxable Indian and public domain lands is to the total land area of the State. This applies to only those States in which such nontaxable lands exceed 5 percent of their total area. Presently 13 States qualify for such additional Federal cost sharing, the total percent for each varying, with Alaska having the highest—95.02 percent. Thus, the presently authorized matching Federal share for the States involved in this bill is: California 59.78; Idaho 62.91; Oregon 63.45, and Washington 53.51 percent of the cost of emergency repairs to the A-B-C and Interstate System highways located in these States.

Subsections 120(f) and 125(c) as amended provide that the Federal share may amount to 100 percent of the cost of emergency repairs to forest highways, a program which is administered by this Department and that the cost of these repairs may be financed from the highway trust fund.

Existing law also authorizes the repair at Federal expense of forest development roads and trails, administered by the Department of Agriculture, and park roads and trails and Indian reservation roads, administered by the Department of the Interior. Such repairs can be financed out of the highway trust fund, under the authority of subsection 125(c), or out of regular roads program appropriations available to the Departments of Agriculture and the Interior.

The proposed increase in the Bureau of Public Roads emergency fund, as mentioned above, is intended to provide for repair and reconstruction of regular Federal-aid and forest highways in the four States with which this bill is concerned.



The Departments of Agriculture and Interior are already at work with existing funds on the reconstruction of the roads under their jurisdiction, and we understand that they will seek additional authorizations or funds under their regular programs for these roads as the work progresses. Because the original construction of the roads under the jurisdiction of Agriculture and Interior was financed out of the general fund and in view of the magnitude of the damages in this case and the financial condition of the highway trust fund, it seems appropriate that the costs of reconstruction for Agriculture's and Interior's roads be charged to the general fund rather than the highway trust fund.

We would like to confine our comments to section 2 of S. 327, which deals with highway and roads matters.

Section 2(a) of this bill would authorize a special exception to section 120(f) of title 23 by increasing the Federal share payable for the repair and reconstruction of Federal-aid highways which were damaged in the recent floods in the four States covered by this bill to 100 percent. This would be a very significant increase in the Federal share. It would discriminate against other States in similar situations and would establish an undesirable precedent. We believe the sharing arrangement established by Public Law 88-658, referred to earlier, is an equitable one and should be continued. Accordingly, we recommend against enactment of section 2(a).

Section 2(b) of this bill would authorize the Secretary of Agriculture to undertake emergency reconstruction of flood-damaged roads and trails in the process of construction by purchasers of national forest timber. We defer to the views of the Department of Agriculture on this provision, but believe that financing of this work should be out of general fund appropriations rather than the highway trust fund.

Section 2(c) of S. 327 would authorize an additional \$200 million for the Bureau of Public Roads emergency fund for the purpose of carrying out section 2. As noted earlier, we have submitted legislation to Congress to increase the emergency fund in 1965 and subsequent years; and Agriculture and Interior are seeking funds for the reconstruction of roads under their jurisdictions. We believe these actions will take care of the financing needs to which section 2(c) is addressed and accordingly we recommend against its enactment.

Section 2(d) of S. 327 would permanently amend subsections 120(f) and 125(c) of title 23 to include "highways, roads and trails on public lands, [and] roads and trails on wildlife refuge system lands," among the roads eligible for Bureau of Public Roads emergency relief funds. We understand that reconstruction work on these roads will be accomplished by the Department of the Interior out of its regular appropriations. In any event, we doubt the desirability of permanently amending these sections of the highway laws in the context of an emergency relief bill for a particular disaster. Accordingly, we recommend against inclusion of this provision.

In summary the Department believes that the enactment of S. 1638, together with the additional funds being sought by the Departments of Agriculture and Interior for reconstruction of the roads under their jurisdiction which were damaged in the recent floods, will provide adequately for the reconstruction of the highways damaged. Accordingly, we recommend against enactment of section 2 (a), (c), and (d) of S. 327 and defer to the views of the Secretary of Agriculture with respect to section 2(b).



We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report to your committee and further that enactment of S. 1638 would be consistent with the administration's objectives.

Sincerely,

ROBERT E. GILES.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., March 31, 1965.*

HON. PAT McNAMARA,  
*Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.*

DEAR SENATOR McNAMARA: There is pending before your committee S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

We recommend that the bill be enacted with our proposed amendments.

The bill provides that the Federal Government will pay from the emergency fund under the Federal Aid Highway Act 100 percent for the repair or reconstruction of highways of the Federal-aid highway system to the States mentioned, which highways were damaged or destroyed by floods and high waters, in lieu of the percentages now payable to the States for such repair or reconstruction under existing law, i.e., California 59.78 percent, Idaho 62.91 percent, Washington 53.51 percent, and Oregon 63.45 percent.

The bill authorizes the Secretary of Agriculture, from funds and authorizations available to him for the construction and maintenance of forest development roads and trails, to restore or reconstruct to the extent he deems appropriate, either directly or in cooperation with timber purchasers, any roads and trails which were in the process of construction by purchasers of national forest timber and which roads or trails were destroyed or severely damaged by the floods.

The bill contains an authorization for appropriations to carry out the foregoing purposes, in addition to the amount authorized by the emergency relief section of the Federal Aid Highway Act, the sum of \$200 million for the period ending July 1, 1966.

The bill amends subsection 120(f) of title 23, United States Code, and subsection 125(c) of title 23, United States Code, by making the emergency relief provisions of section 125 and the 100 percent Federal share provisions of subsection 120(f) applicable to highways; roads, and trails on public lands, and to roads and trails on wildlife refuge system lands. This provision is apparently intended as permanent legislation, despite the time limitation of June 30, 1966, embodied in the bill.

The bill authorizes the Secretary of Agriculture to compromise or release through the Farmers Home Administration and the Rural Electrification Administration the indebtedness of their borrowers to enable them to overcome losses suffered as a result of the floods and high waters. The Secretary of Agriculture, through the Farmers Home Administration, is further authorized to refinance loans for the repair, reconstruction, or replacement of dwellings or farm buildings affected by the floods and high waters. The bill authorizes the Small

Business Administration to make loans with a maximum maturity of 30 years for the purpose of replacing, reconstructing, or repairing dwellings in the States affected. The bill provides that it shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under the bill before such date.

The bill embodies some of the same provisions as the Alaska earthquake relief legislation, Public Law 88-451, 78 Stat. 505 (1964).

As indicated above, the bill provides 100 percent Federal funding of repairs or reconstruction of Federal-aid highways damaged or destroyed by the floods and high waters. When the State of Alaska was faced with the need for similar restorative action as a result of the earthquake of March 27, 1964, Congress provided in the act of August 19, 1964, Public Law 88-451, 78 Stat. 505, section 3, that Federal assistance should be on the same matching basis which would be applicable to new construction. For the State of Alaska the Federal assistance was 94 percent. Subsection (f) of section 120, title 23, United States Code, was amended by the act of October 13, 1964, Public Law 88-658, 78 Stat. 1090, as permanent legislation. Under that law the four States concerned, and all other States, now enjoy the same payment formula afforded Alaska with respect to repairs or reconstruction on the Federal-aid highway system. As indicated earlier, the Federal share for the four States ranges from 53.51 to 63.45 percent.

The bill authorizes the Secretary of Agriculture to repair or restore roads built by timber purchasers. It contains no similar authority for this Department. We have a large timber sale program particularly on the revested Oregon & California Railroad and the reconveyed Coos Bay Wagon Road grant lands. We need similar authority and are suggesting an appropriate amendment. Our proposed amendment authorizes the Secretary of the Interior and the Secretary of Agriculture separately to expend funds to restore or reconstruct highways, roads, or trails, built by a timber purchaser on lands administered by the Secretary, where damaged by the floods and high waters. The amendment also permits the Secretary to reimburse any timber purchaser who effectuated such repair or reconstruction prior to the effective date of enactment of the bill. We think it would be inequitable to deprive a timber purchaser of the benefits of the bill on the basis of his diligence in acting to restore promptly the damage caused to such roads. The precise extent to which relief could be granted is spelled out in our amendment. It provides that a timber purchaser shall bear the estimated cost of the uncompleted work on the portion of the road damaged, and an amount equal to the first 15 percent of the estimated cost incurred by the timber purchaser on the damaged or destroyed portion of the road. The Secretary would bear the next \$1,000 of the estimated cost of reconstruction, restoration, and completion, and 50 percent of the remaining costs thereof. Where the costs of reconstruction, restoration, and completion are less than \$500, the section would not apply.

Fifteen percent represents approximately the risk and profit allowance envisaged by the road provisions of the timber appraisal. It also takes account of normal winter damage. The \$1,000 is designed to afford a larger measure of relief to the small timber operator who presumably is less able to withstand catastrophic loss. The rationale



for the 50-percent division is that neither the Government nor the timber purchasers envisaged the catastrophe. It seems equitable, therefore, that each party should bear 50 percent of the loss sustained. The exclusion of claims under \$500 is based upon the position that such damage is relatively minor.

It is the position of the administration that relief legislation along the lines of the bill is not an appropriate vehicle for amendments to the emergency fund provisions of the Federal Aid Highway Act relating to the operations of this Department. We are therefore recommending the deletion of section 2(d) of the bill.

Because of the havoc wrought by the floods and high waters, persons seeking to perfect their rights in entries under the public land laws may have been disadvantaged. This Department should be in a position to suspend the time limits embodied in those laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters. We are suggesting an appropriate amendment below.

We understand that some damage was caused by floods and high waters in the four States during February 1965. We therefore believe that the bill should be amended by deleting the words "December 1964, and January 1965" wherever they appear in the bill and substituting therefor "December 1964, January and February 1965."

We recommend that the bill be amended as follows:

1. Delete subsections (b) and (d) of section 2, redesignate subsection (c) as (b), delete therefrom "July 1, 1966" and substitute therefor "June 30, 1966", which marks the end of the fiscal year.

2. Add a new section reading as follows:

"SEC. 7. Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, on lands administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads, or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 per centum of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 per centum of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."



3. Add a new section reading as follows:

"SEC. 8. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in Oregon, Washington, California, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, January and February 1965."

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. CARVER, Jr.,  
*Acting Secretary of the Interior.*

---

HOUSING AND HOME FINANCE AGENCY,  
OFFICE OF THE ADMINISTRATOR,  
*Washington, D.C., April 7, 1965.*

Subject: S. 327, 89th Congress (Senator Morse).

HON. PAT MCNAMARA,

*Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for our views on S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The Housing Agency is primarily interested in section 4 of the bill which would authorize the Housing Administrator to compromise or release such portion of any obligations which he holds in the States of Oregon, Washington, California, and Idaho under the public facility loans program or under the revolving fund for liquidating programs, to the extent he finds that such relief is necessary because the facilities securing these obligations have been substantially damaged by the floods and high water in these States during December 1964 and January 1965. Under existing law, the Administrator has no authority to provide any relief in situations such as this, beyond the rescheduling of required loan payments.

We have been informed by our San Francisco regional office that no facilities secured by obligations referred to in section 4 of the bill appear to have been damaged by the floods and high waters of December 1964 and January 1965. Accordingly, the provision would provide no benefit to localities in the affected States.

This provision is identical (except for the date and cause of damage) to section 52 of the Alaska Omnibus Act, added by the 1964 Amendments to the Alaska Omnibus Act in order to provide special assistance to the State of Alaska for the reconstruction of areas damaged by the March 27, 1964, earthquake. The 1964 amendments contained numerous other special provisions (several of which are included in S. 327) determined by the Congress to be necessary because the March 1964 earthquake and tidal wave severely affected a portion of the State which was inhabited by half its population and from which came half or more than half of its governmental revenues. These

factors in effect crippled the State's ability to carry out its normal functions, to supply matching funds for essential Federal grant-in-aid programs, and to finance other programs.

The Housing Agency is not in a position to determine whether the floods and high waters in California, Oregon, Washington, and Idaho during December 1964 and January 1965 have resulted in damage which requires Federal assistance in addition to that presently authorized under the Disaster Relief Act (Public Law 81-875). Accordingly, we would defer to the Office of Emergency Planning and other affected Federal agencies as to whether assistance in addition to that authorized under the Disaster Relief Act should be provided in this situation.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ROBERT C. WEAVER, *Administrator.*

---

SMALL BUSINESS ADMINISTRATION,  
OFFICE OF THE ADMINISTRATOR,  
*Washington, D.C., April 7, 1965.*

HON. PAT McNAMARA,  
*Chairman, Committee on Public Works,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further response to your letter of January 19, 1965, requesting my comments on S. 327, a bill to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The bill calls for various forms of Federal assistance to persons suffering property loss or damage resulting from the floods and high waters of December 1964 and January 1965 in Oregon, Washington, California, and Idaho. Section 5 of the measure would increase from 20 to 30 years the maximum term governing disaster loans, made pursuant to section 7(b)(1) of the Small Business Act, to persons whose dwellings were destroyed or damaged by such floods or high waters. This amendment follows the pattern of that enacted last year (Public Law 88-451) for the benefit of persons in Alaska whose homes were destroyed or damaged in the recent earthquake.

The severe financial hardship created by the recent floods on the west coast, as well as that caused by last year's earthquake in Alaska, point up in a special way the inadequacy of the existing maximum on the maturity of disaster loans to homeowners. But this maximum is inadequate for another reason of much broader applicability.

In many cases a person whose home has been destroyed or extensively damaged is reduced to serious financial straits. Although his resources may be very limited, he must find some means of financing replacement or repair and, at the same time, continue meeting his existing mortgage obligations. Thus SBA is often compelled to refuse a loan, because the applicant cannot demonstrate ability to repay on a 20-year amortization basis.

In order to meet the needs of such people, and of others for whom the existing maximum would create severe hardship, we favor an



amendment to the Small Business Act permitting maturities of up to 30 years on loans made pursuant to section 7(b)(1) thereof. We would draw upon this authority in appropriate cases to permit repayments in smaller installments, over a longer period of time, than is allowable under existing law.

SBA is planning to submit a proposal of this nature to the Congress, and it is my hope that it will be enacted at the current session. Such legislation would, of course, obviate the need of section 5 of the subject bill and is much preferable to the piecemeal approach represented by the latter.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

EUGENE P. FOLEY, *Administrator.*

#### CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill (S. 327), as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

*SEC. 2. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, shall reimburse timber sale contractors to the extent of costs estimated by the Secretary's representative as incurred or to be incurred by the contractor for completing road construction not performed prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs originally estimated by the Secretary's representative. The estimated costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: The timber purchaser shall bear 15 per centum of all amounts: Provided, That the purchaser shall not be required to bear costs of more than \$4,500. The Secretary shall bear the remaining portion of such costs.*

*(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement, the Secretary may allow cancellation of the contract notwithstanding provisions therein.*

#### SECTION 3. (a) EMERGENCY RELIEF FUNDS

(23 U.S.C. 125)

(a) An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of disaster over a wide area, such as by floods, hurricanes, tidal waves, earthquakes, severe



storms, landslides, or other catastrophes in any part of the United States. [The appropriation of such moneys, not to exceed \$30,000,000, as may be necessary for the initial establishment of this fund and for its replenishment on an annual basis is authorized.] *There is authorized to be appropriated not to exceed \$80,000,000 for the fiscal year ending June 30, 1965, nor to exceed \$50,000,000 for each fiscal year thereafter, for the establishment and annual replenishment of this fund.*

(b) The Secretary may expend funds from the emergency fund herein authorized for the repair or reconstruction of highways on the Federal-aid highway systems, including the Interstate System, in accordance with the provisions of this chapter. Except as to highways, roads, and trails mentioned in subsection (c) of this section, no funds shall be so expended unless the Secretary has received an application therefor from the State highway department, and unless an emergency has been declared by the Governor of the State and concurred in by the Secretary [.] , *and unless the Secretary has reported the proposed expenditure to the Public Works Committees of the Senate and House of Representatives and has not received disapproval of the proposed expenditure from either committee within thirty days following submission of his report.*

#### SECTION 4. FEDERAL-AID HIGHWAY ACT OF 1964, SECTION 2, PARAGRAPH 3

(3) For forest development roads and trails, [\$85,000,000] *\$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, and Idaho necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967.*

#### SECTION 5. ADVERTISING OF TIMBER SALES

*SEC. 5. The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, and Idaho damaged by floods or high waters during December 1964 and January 1965.*

#### SECTION 6. RIGHT OF ENTRY ON PUBLIC LANDS

*SEC. 6. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in Oregon, Washington, California, and Idaho as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964 and January 1965.*

## SECTION 7. MATURITY OF SMALL BUSINESS LOANS

*SEC. 7. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in Oregon, Washington, California, and Idaho, damaged or destroyed by the floods and high water of December 1964, and January 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.*

## SECTION 8. EEL RIVER SURVEY AND RECOMMENDED BANK STABILIZATION

*SEC. 8. (a) The Secretary of the Army is authorized and directed to make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within 120 days after the date of enactment of this Act. The Secretary is authorized (1) to perform such of the recommended work as may be approved prior to June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively, and (2) after the adoption of such a resolution, to reimburse any common carrier for any such recommended work approved by such resolution which is undertaken before the date of adoption of such resolution.*

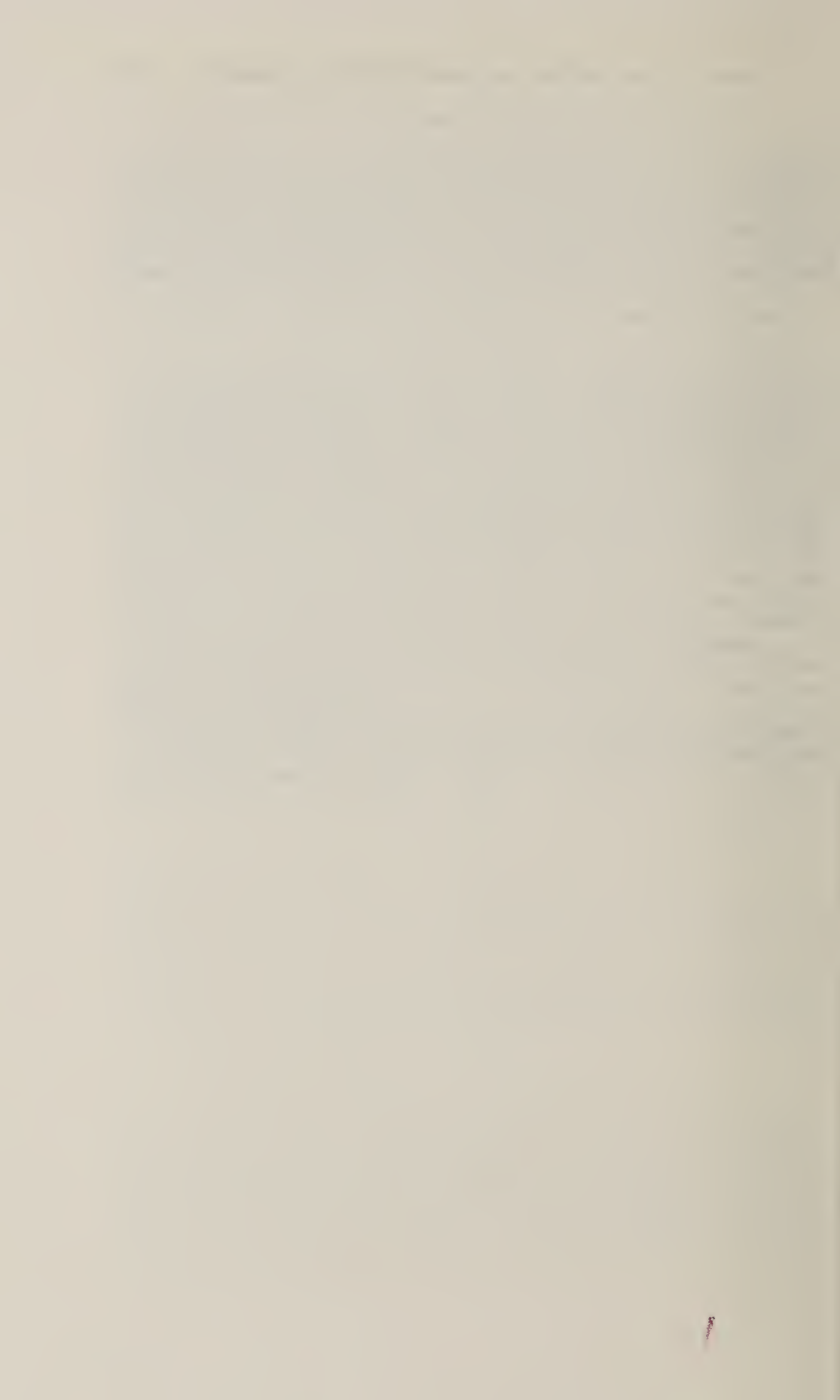
*(b) The costs of the survey authorized in this section shall be paid from funds heretofore appropriated for general investigations. Such costs shall not exceed \$250,000.*

*(c) There is authorized to be appropriated such amount as may be necessary for carrying out work and making reimbursements authorized in accordance with this section.*

○







89TH CONGRESS  
1ST SESSION

# S. 327

[Report No. 166]

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 7, 1965

Mr. MORSE (for himself, Mrs. NEUBERGER, Mr. BARTLETT, Mr. GRUENING, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Public Works

APRIL 22, 1965

Reported by Mr. RANDOLPH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

## A BILL

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      That Congress hereby recognizes that the States of Oregon,  
4      Washington, California, and Idaho have experienced exten-  
5      sive property loss and damage as the result of floods and high  
6      waters during December 1964 and January 1965 and de-  
7      clares the need for special measures designed to aid and  
8      accelerate these States in their efforts to provide for the  
9      reconstruction of devastated areas.

10      SEC. 2. ~~(a)~~ Notwithstanding section 120 ~~(f)~~ of title 23

1 of the United States Code, the Federal share payable from  
2 the emergency fund authorized by section 425 of such title  
3 on account of any repair or reconstruction of highways on the  
4 Federal-aid highway system of Oregon, Washington, Cali-  
5 fornia, and Idaho, which were damaged or destroyed by the  
6 floods and high waters during December of 1964 and Janu-  
7 ary of 1965 shall be 100 percentum of the cost of such repair  
8 or reconstruction.

9 (b) The Secretary of Agriculture is authorized with  
10 funds and authorizations available to him for the construc-  
11 tion and maintenance of forest development roads and trails,  
12 to undertake either directly or in cooperation with timber  
13 purchasers to restore or reconstruct to such extent as he  
14 deems appropriate any roads and trails which were in the  
15 process of construction by purchasers of national forest timber  
16 and which were destroyed or severely damaged by the floods  
17 of December 1964 and January 1965.

18 (c) There is authorized to be appropriated to carry out  
19 this section, in addition to the amounts authorized by section  
20 425 of title 23, United States Code, not to exceed \$200,-  
21 000,000 for the period ending July 1, 1966.

22 (d) That subsection 420(f) of title 23, United States  
23 Code, is amended by inserting after the words, "park roads  
24 and trails," the following: "highways, roads and trails on  
25 public lands, roads and trails on wildlife refuge system



1 lands," *Provided further*, That subsection 125(e) of title 23,  
2 United States Code, is amended by inserting after the words,  
3 "park roads and trails," the following: "highways, roads and  
4 trails on public lands, roads and trails on wildlife refuge  
5 system lands,".

6 SEC. 3. (a) The Secretary of Agriculture is authorized  
7 to compromise or release such portion of a borrower's in-  
8 debtedness under programs administered by the Farmers  
9 Home Administration in Oregon, Washington, California,  
10 and Idaho as he finds necessary because of loss resulting from  
11 the floods and high water during December 1964 and Janu-  
12 ary 1965 and he may refinance outstanding indebtedness of  
13 applicants in such States for loans under section 502 of the  
14 Housing Act of 1949 for the repair, reconstruction, or re-  
15 placement of dwellings or farm buildings lost, destroyed, or  
16 damaged by such causes and securing such outstanding in-  
17 debtedness. Such loans may also be provided for the pur-  
18 chase of building sites, when the original sites cannot be  
19 utilized.

20 (b) The Secretary of Agriculture is authorized to com-  
21 promise or release such portion of a borrower's indebtedness  
22 under programs administered by the Rural Electrification  
23 Administration in Oregon, Washington, California, and Idaho  
24 as he finds necessary because of loss, destruction, or damage

1 to property resulting from floods and high water during  
2 December 1964 and January 1965.

3       SEC. 4. The Housing and Home Finance Administrator  
4 is authorized to compromise or release such portion of any  
5 note or other obligation held by him with respect to property  
6 in Oregon, Washington, California or Idaho pursuant to  
7 title II of the Housing Amendments of 1955, or included  
8 within the revolving fund for liquidating programs estab-  
9 lished by the Independent Offices Appropriation Act of 1955,  
10 as he finds necessary because of loss, destruction, or damage  
11 to facilities securing such obligations by the floods and high  
12 water during December 1964 and January 1965.

13       SEC. 5. Loans made pursuant to paragraph (1) of sec-  
14 tion 7(b) of the Small Business Act (15 U.S.C. 636(b))  
15 for the purpose of replacing, reconstructing, or repairing  
16 dwellings in Oregon, Washington, California, and Idaho,  
17 damaged or destroyed by the floods and high water of De-  
18 cember 1964 and January 1965, may have a maturity of  
19 up to thirty years, except that section 7(c) of such Act shall  
20 not apply to such loans.

21       SEC. 6. This Act shall not be in effect after June 30,  
22 1966, except with respect to payment of expenditures for  
23 obligations and commitments entered into under this Act  
24 before such date.

25       *That Congress hereby recognizes (1) that the States of Cali-*

1 *for*nia, Oregon, Washington, and Idaho have experienced  
2 extensive property loss and damage as the result of floods  
3 and high waters during December 1964, and January and  
4 February 1965, (2) that much of the affected area is fed-  
5 erally owned and administered, and (3) that the livelihood  
6 of the people in the area is dependent on prompt restoration of  
7 transportation facilities, and therefore Congress declares the  
8 need for special measures designed to aid and accelerate those  
9 States in their efforts to provide for the reconstruction of  
10 devastated areas.

11       SEC. 2. (a) Notwithstanding provisions of existing con-  
12 tracts, the Secretary of the Interior and the Secretary of Agri-  
13 culture, separately, with funds and authorizations available to  
14 him for the construction and maintenance of highways, roads,  
15 and trails, shall reimburse timber sale contractors to the ex-  
16 tent of costs estimated by the Secretary's representative as  
17 incurred or to be incurred by the contractor for restoring  
18 roads in any stage of construction authorized by a timber  
19 sale contract to substantially the same condition existing prior  
20 to the damage resulting from the floods of December 1964,  
21 and January and February 1965 in California, Idaho,  
22 Oregon, and Washington, and to the extent costs estimated by  
23 the Secretary's representative as incurred or to be incurred  
24 by the contractor for completing road construction not per-



1    *formed prior to the floods but which, because of changed con-*  
2    *ditions resulting from the floods, exceed road construction*  
3    *costs originally estimated by the Secretary's representative.*  
4    *The estimated costs for such road restoration, reconstruction,*  
5    *and construction under any single timber purchase contract*  
6    *on roads not accepted prior to the floods, whether construction*  
7    *was complete, partial, or not yet begun, shall be borne as fol-*  
8    *lows: The timber purchaser shall bear 15 per centum of all*  
9    *amounts: Provided, That the purchaser shall not be required*  
10    *to bear costs of more than \$4,500. The Secretary shall bear*  
11    *the remaining portion of such costs.*

12        *(b) Where the Secretary determines that damages are*  
13    *so great that restoration, reconstruction, or construction is*  
14    *not practical under the above cost-sharing arrangement, the*  
15    *Secretary may allow cancellation of the contract notwith-*  
16    *standing provisions therein.*

17        *SEC. 3. (a) That section 125 of title 23, United States*  
18    *Code, is amended to delete the second sentence of paragraph*  
19    *(a) and insert in lieu thereof the following: "There is author-*  
20    *ized to be appropriated not to exceed \$80,000,000 for the*  
21    *fiscal year ending June 30, 1965, nor to exceed \$50,000,000*  
22    *for each fiscal year thereafter, for the establishment and*  
23    *annual replenishment of this fund."*

24        *(b) That section 125 of title 23, United States Code,*  
25    *is amended to delete the period at the end of the second*

1 sentence of paragraph (b) and insert in lieu thereof the  
2 following: “, and unless the Secretary has reported the  
3 proposed expenditure to the Public Works Committees of the  
4 Senate and House of Representatives and has not received  
5 disapproval of the proposed expenditure from either com-  
6 mittee within thirty days following submission of his report.”

7 SEC. 4. Paragraph (3) of section 2 of the Federal-Aid  
8 Highway Act of 1964 is amended to read as follows:

9 “(3) For forest development roads and trails, \$123,-  
10 000,000 for the fiscal year ending June 30, 1966, of which  
11 not to exceed \$38,000,000 shall be used solely for the con-  
12 struction, repair, and reconstruction of forest development  
13 roads and trails in the States of California, Oregon, Wash-  
14 ington, and Idaho necessary because of the floods and high  
15 waters in such States during December 1964, and January  
16 and February 1965, and \$85,000,000 for the fiscal year  
17 ending June 30, 1967.”

18 SEC. 5. The Secretary of Agriculture is authorized to  
19 reduce to seven days the minimum period of advance public  
20 notice required by the first section of the Act of June 4,  
21 1897 (16 U.S.C. 476), in connection with the sale of timber  
22 from national forests, whenever the Secretary determines that  
23 the sale of such timber will assist in the reconstruction of  
24 any area of California, Oregon, Washington, and Idaho

1 *damaged by floods or high waters during December 1964,*  
2 *and January and February 1965.*

3     *SEC. 6. The Secretary of the Interior is authorized to*  
4 *give any public land entryman such additional time in which*  
5 *to comply with any requirement of law in connection with*  
6 *any public land entry for lands in Oregon, Washington,*  
7 *California, and Idaho as the Secretary finds appropriate*  
8 *because of interference with the entryman's ability to comply*  
9 *with such requirement resulting from floods and high waters*  
10 *during December 1964, and January and February 1965.*

11     *SEC. 7. Loans made pursuant to paragraph (1) of*  
12 *section 7(b) of the Small Business Act (15 U.S.C. 636(b))*  
13 *for the purpose of replacing, reconstructing, or repairing*  
14 *dwellings in Oregon, Washington, California, and Idaho,*  
15 *damaged or destroyed by the floods and high water of De-*  
16 *cember 1964, and January and February 1965, may have*  
17 *a maturity of up to thirty years, except that section 7(c) of*  
18 *such Act shall not apply to such loans.*

19     *SEC. 8 (a) The Secretary of the Army is authorized*  
20 *and directed to make a survey to determine what protective*  
21 *works would be necessary to prevent the recurrence of dam-*  
22 *age by floods or high waters to those banks of the Eel River,*  
23 *California, which are adjacent to the trackage of any com-*  
24 *mon carrier by railroad and shall report to Congress the re-*  
25 *sults of such survey together with the cost of any recommended*



1 work within one hundred and twenty days after the date  
2 of enactment of this Act. The Secretary is authorized (1) to  
3 perform such of the recommended work as may be approved  
4 prior to June 30, 1966, by resolution adopted by the Com-  
5 mittees on Public Works of the Senate and the House of  
6 Representatives, and (2) after the adoption of such a resolu-  
7 tion, to reimburse any common carrier for any such recom-  
8 mended work approved by such resolution which is under-  
9 taken before the date of adoption of such resolution.

10 (b) The costs of the survey authorized in this section  
11 shall be paid from funds heretofore appropriated for general  
12 investigations. Such costs shall not exceed \$250,000.

13 (c) There is authorized to be appropriated such amount  
14 as may be necessary for carrying out work and making re-  
15 imbursements authorized in accordance with this section.

16 SEC. 9. This Act, other than sections 3, 4, and 8, shall  
17 not be in effect after June 30, 1966, except with respect to  
18 payment of expenditures for obligations and commitments en-  
19 tered into under this Act on or before such date.

20 SEC. 10. This Act may be cited as the "Pacific North-  
21 west Disaster Relief Act of 1965".

89TH CONGRESS  
1ST SESSION

**S. 327**

[Report No. 166]

---

## **A BILL**

---

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

By Mr. MORSE, Mrs. NEUBERGER, Mr. BARTLETT,  
Mr. GRUENING, and Mr. MURPHY

---

JANUARY 7, 1965

Read twice and referred to the Committee on Public  
Works

APRIL 22, 1965

Reported with an amendment







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and fees paid

U. S. Department of Agriculture

Issued April 26, 1965

For actions of April 23, 1965

89th-1st; No. 72

### CONTENTS

Adjournment.....5	Farm program.....4	Supplemental
Appropriations.....2	Forestry.....1	appropriations.....2
Disaster relief.....1	Patents.....6	Timber.....1
Extension service.....3	Roads and trails.....1	

HIGHLIGHTS: Senate passed flood disaster relief bill for Ore., Wash., Calif., and Idaho. Senate committee voted to report second supplemental appropriation bill. Sen. Mundt commended work of Extension Service.

### SENATE

1. DISASTER RELIEF. Passed as reported S. 327, to provide Federal flood disaster relief for Ore., Wash, Calif., and Idaho (pp. 8057-60). As passed the bill includes provisions as follows: Authorizes an additional \$38 million for fiscal year 1966 to be used for the construction, repair, and reconstruction of forest development roads and trails in Calif., Ore., Wash, and Idaho damaged by recent floods. Authorizes the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area. Authorizes the Secretaries of Agriculture and the Interior to reimburse timber sale contractors for reconstruction and restoration of roads which are under construction but had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods. Provides that purchasers under timber sales contracts shall bear 15 percent of the costs of reconstruction and restoration, up to a maximum cost to the purchaser of \$4,500, and the Government will bear 100 percent of all amounts above \$30,000 on a single timber purchase contract.
2. APPROPRIATIONS. The Appropriations Committee voted to report (but did not actually report) with amendments H. R. 7091, the second supplemental appropriation bill for fiscal year 1965. p. D314

3. EXTENSION SERVICE. Sen. Mundt reviewed and commended the work of the Extension Service, stating that "Extension workers probably contribute as much to the progress of agriculture and the Nation's overall economy as any other group of similar size." p. 8065
4. FARM PROGRAM. Sen. Carlson inserted a Kan. Farmers Union position letter on certain farm legislative proposals, including the following: A full parity provision for domestic consumption of wheat. A minimum value of at least 25 cents per bushel on export certificate wheat. Authority for the Secretary to move upward the 105 percent of support price plus costs affecting release of Government-stored wheat. A strategic reserve of agricultural commodities. Opposition to the placing of whole farms in a cropland adjustment reserve. Opposition to the sale or lease of acreage allotments.
5. ADJOURNED until Mon., Apr. 26. p. 8086

BILLS INTRODUCED

6. PATENTS. S. 1809 by Sen. McClellan, to establish a uniform national policy concerning property rights in inventions made through the expenditure of public funds; to Judiciary Committee. Remarks of author p. 8052  
S. 1810 by Sen. McClellan, to amend section 1498 of title 28, United States Code, to define the word "owner"; to Judiciary Committee. Remarks of author pp. 8052-3

0

COMMITTEE HEARINGS:

- Apr. 26: CCC resale prices, H. Agriculture (National Grange to testify).  
USDA appropriations, H. Appropriations (exec) and S. Appropriations.  
Interior appropriation bill, S. Appropriations (exec).  
Federal aid for economically distressed areas, S. Public Works (Secretary Connor to testify).
- Apr. 27: CCC resale prices, H. Agriculture (Jaenke, ASCS, to testify).
- Apr. 28: Exemption of industrial users from wheat certificates, H. Agriculture (Underhill to testify).

oOo



The manufacturers are quite blatant about the surveillance features of their wares.

The recorder "can also record perfectly controlled inconspicuously by remote control from the outside with case open or closed and can be operated from a distance of 200 feet away when used with wireless FM transmitter and FM receiver."

And then there is the telephone pickup "which starts recorder when phone call is started and stops when receiver is returned to phone—completely automatically in your absence." This would appear to be in direct violation of FCC regulations in effect—if not in force—today.

In addition to the tie clasp, cuff link, and fountain pen microphones, there is a new gadget, similar in principle to the one used by the Soviets to "bug" our Embassy in Moscow. It is the keyhole extension microphone, described as "an extended flexible tube just three-sixteenths inch in diameter—fits about any keyhole."

It is my intention to question the FCC officials about the sale and use of this type of equipment when they appear before our subcommittee on May 5.

#### RECONSTRUCTION ASSISTANCE TO OREGON, WASHINGTON, CALIFORNIA, AND IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 153, S. 327.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with an amendment, to strike out all after the enacting clause and insert:

That Congress hereby recognizes (1) that the States of California, Oregon, Washington, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, shall reimburse timber sale contractors to the extent of costs estimated by the Secretary's representative as incurred or to be incurred by the contractor for restoring roads in any stage of construction authorized by a timber sale contract to substantially the same con-

dition existing prior to the damage resulting from the floods of December 1964, and January and February 1965 in California, Idaho, Oregon, and Washington, and to the extent costs estimated by the Secretary's representative as incurred or to be incurred by the contractor for completing road construction not performed prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs originally estimated by the Secretary's representative. The estimated costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: The timber purchaser shall bear 15 per centum of all amounts: *Provided*, That the purchaser shall not be required to bear costs of more than \$4,500. The Secretary shall bear the remaining portion of such costs.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

SEC. 3. (a) That section 125 of title 23, United States Code, is amended to delete the second sentence of paragraph (a) and insert in lieu thereof the following: "There is authorized to be appropriated not to exceed \$80,000,000 for the fiscal year ending June 30, 1965, nor to exceed \$50,000,000 for each fiscal year thereafter, for the establishment and annual replenishment of this fund."

(b) That section 125 of title 23, United States Code, is amended to delete the period at the end of the second sentence of paragraph (b) and insert in lieu thereof the following: ", and unless the Secretary has reported the proposed expenditure to the Public Works Committees of the Senate and House of Representatives and has not received disapproval of the proposed expenditure from either committee within thirty days following submission of his report."

SEC. 4. Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, and Idaho necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

SEC. 5. The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 6. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in Oregon, Washington, California, and Idaho as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 7. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in Oregon, Washington, California, and

Idaho, damaged or destroyed by the floods and high water of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 8(a) The Secretary of the Army is authorized and directed to make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within one hundred and twenty days after the date of enactment of this Act. The Secretary is authorized (1) to perform such of the recommended work as may be approved prior to June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, and (2) after the adoption of such a resolution, to reimburse any common carrier for any such recommended work approved by such resolution which is undertaken before the date of adoption of such resolution.

(b) The costs of the survey authorized in this section shall be paid from funds heretofore appropriated for general investigations. Such costs shall not exceed \$250,000.

(c) There is authorized to be appropriated such amount as may be necessary for carrying out work and making reimbursements authorized in accordance with this section.

SEC. 9. This Act, other than sections 3, 4, and 8, shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 10. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MANSFIELD. Mr. President, hearings were conducted on this measure on April 1, by the Subcommittee on Public Roads under the chairmanship of the capable senior Senator from West Virginia [Mr. RANDOLPH].

It is my understanding that there is complete concurrence between the Committee on Public Works, which reported the amended bill unanimously, and the chief sponsor of the original measure, the distinguished senior Senator from Oregon [Mr. MORSE].

Also there is basic agreement between the administration and the spokesman of the timber industry, which was so severely affected by the floods in the Pacific Northwest, and only minor differences remain between this measure and similar legislation pending before the Public Works Committee of the House of Representatives.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed



at this point in the RECORD certain portions of the committee report.

There being no objection, the excerpts from the report (Rept. No. 166) were ordered to be printed in the RECORD, as follows:

#### THE NEED FOR S. 327

During Christmas week, 1964, and again in January and February 1965 the States of Oregon, California, Washington, and Idaho were struck by catastrophic floods which were unprecedented in terms of high water and subsequent damage to roads, farms, residences, and industrial installations.

The abnormal weather conditions of warm rain falling on snow and frozen ground which caused the floods were summarized in the U.S. Weather Bureau publication "Pacific Northwest Monthly Precipitation and Temperature," December 1964, as follows:

"December 1964 will long be remembered in Oregon and southern Idaho for the unprecedented winter rainfall which fell during the period December 19-27. \* \* \* Precipitation for the month was 200 percent or more of average southeast of a line extending from Brookings, Oreg., Yakima, Wash., Spokane, Wash., Kalispell, Mont. Over much of this area the precipitation for the December just past far exceeded that for any previous December. \* \* \* The series of storms moving inland from the Southwest during the period December 19-27 brought abnormally heavy precipitation over Oregon and southern Idaho. Prior to the beginning of the storm, the ground was frozen and snow covered over nearly all areas of the Pacific Northwest. This combination of warm rain falling on frozen ground and snow resulted in the greatest winter flood on record in western Oregon and in a number of other basins east of the Cascade Range."

The same publication revealed the extent of runoff created by the abnormal precipitation:

"Runoff in December ranged from high to record high for December over southern Washington, all of Oregon, nearly all of Idaho. \* \* \* Floods of record or near-record proportions occurred in all of this area \* \* \* in the last 10 days of the month. Eighteen deaths in Oregon and two in Idaho were attributed to this flood. \* \* \* Runoff was low in only a few rivers in the region."

The floods brought destruction or extensive damage to more than 12,000 homes, serious economic dislocation of some 18,000 families, disruption of industrial facilities, and widespread destruction of transportation facilities.

Estimates of the Office of Emergency Planning, supplied on March 29, place the total damages incurred in the flood-stricken area at \$461,500,000:

	Public	Private	Total
Oregon.....	\$95,000,000	\$147,000,000	\$242,000,000
Washington....	9,000,000	3,000,000	12,000,000
California.....	140,000,000	60,000,000	200,000,000
Idaho.....	5,500,000	2,000,000	7,500,000
Total....	249,500,000	212,000,000	461,500,000

Though the committee does not minimize the extent of this destruction, it should be noted that the above damages would have been greatly exceeded but for the protection of existing flood control projects. In the Willamette Basin alone, projects authorized by the Congress and constructed by the Corps of Engineers prevented some \$572 million worth of damage, a figure exceeding the total cost of all facilities constructed in the basin.

Of most critical importance to the economy of the region was the disruption and destruction of transportation facilities. S. 327 is principally addressed to the problems of reconstructing and restoring these facilities.

The Bureau of Public Roads of the U.S. Department of Commerce estimates that the Federal share of reconstructing Federal-aid and forest highways will be \$56 million. Under Public Law 88-658 the basic 50-percent Federal share is increased by a percentage equal to the percentage which the area of certain nontaxable Indian and public domain lands is to the total land area of the State. Thus, the presently authorized matching Federal share for the States involved in S. 327 is: California 59.78, Idaho 62.91, Oregon 63.45, and Washington 53.51 percent of the cost of emergency repairs to the A-B-C and Interstate System highways located in these States.

Of the total \$56 million required by the Bureau of Public Roads, \$8.1 million has already been approved under existing authorizations; an additional \$4 million can be financed under present authorizations, leaving an unfunded balance of \$44 million.

The Forest Service reported damages to approximately 12,000 miles of forest development roads and trails under its administration, with a cost of restoration of approximately \$47 million. Of this amount, \$3 million will be reprogramed and \$8 million will be financed from unused authorizations, leaving an unfunded balance of \$36 million.

In addition to the damages to Government-owned forest development roads and trails, there were damages in excess of \$3 million to roads constructed under timber purchase contracts with the Forest Service and with the Bureau of Land Management of the Department of the Interior. These roads, in various stages of completion at the time the floods struck, were constructed by purchasers of Government timber according to standards and specifications of the Forest Service and the Bureau of Land Management. On completion, they will be accepted by the respective administrative agencies and will become part of the federally owned and administered system of forest development roads and trails.

Finally, in assessing the damages to vital transportation facilities, the committee notes the extensive destruction of trackage, bridge and embankment structures, and other facilities of the Northwestern Pacific Railroad on the Eel River, Calif. Management of the railroad has estimated total damages of \$10.7 million, including an estimated \$3,625,000 required for minimum bank stabilization and protective works necessary to prevent further damage from floods or high water. Though the committee does not propose that the railroad be reimbursed for damages to its trackage or for clearance of debris and wreckage, S. 327 would authorize \$250,000 for a survey of the Eel River and would authorize the necessary funds to perform the stream-bank stabilization work recommended by the Secretary of the Army on the basis of the survey.

#### MAJOR PROVISIONS OF THE BILL

##### *Shared costs for reconstruction of timber purchase roads*

The forest industry is a major segment of the economy of the Pacific Northwest, with much of the industry being dependent for its raw material supply on lands owned by the Federal Government. In the four States which come under the provisions of S. 327, the federally owned forests comprise 44,508,000 acres, or 56 percent of all commercial forest land, and provide 54 percent of the total timber supply of these four States.

Approximately 400,000 people in the region are employed by the industry, and in Oregon alone it provides a payroll of \$470 million for 80,000 people and directly generates approximately 60 percent of the income of that State. Thus, it is imperative that access to both public and private commercial forest lands be restored as quickly as possible in order to avoid further severe economic dislocation in the region.

In western Oregon, where the Federal Government owns two-thirds of the timber, impaired access to Federal forests has already created significant unemployment. Log inventories are abnormally low for this time of year, and because of impaired access they were not replaced in many areas where winter and early spring logging are normally conducted. A survey made in early March of 142 forest products operations employing 26,285 persons in western Oregon and southwestern Washington revealed 15 mills which would have to close and lay off 1,721 persons if access to Federal forests were not quickly restored so that logging could be resumed.

Section 2 of the bill would facilitate this action by authorizing the Secretaries of Agriculture and the Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods.

At the time of these floods, many purchasers of timber from lands under the jurisdiction of the Secretaries of Agriculture and the Interior were in the process of constructing roads under the terms of their timber sale contracts. Some had substantially completed the construction of such roads but the roads had not been accepted. The damage to roads of this type was in many instances severe. In some instances the actual road location was either destroyed or so damaged that the replacement road would have to be constructed on a new location. Thus, the damage resulting from the floods has made it necessary to reconstruct all or portions of many roads for which the timber purchasers were responsible under their timber sale contracts. Also, the flood damage has in some instances resulted in such changed conditions that the estimated cost of completing the construction of roads which had been partially constructed will exceed the original estimated cost.

Section 2(a) supersedes existing timber sale contracts which would impose the entire loss on the purchaser, and provides that the purchaser shall bear 15 percent of the costs of reconstruction and restoration, up to a maximum cost to the purchaser of \$4,500; the Government shall bear 85 percent of the costs, and 100 percent of all amounts above \$30,000 on a single timber purchase contract.

It is the intention of the committee that the provisions of subsection (a) of section 2, including the provisions for proration, shall apply to the entire cost of restoring or reconstructing those portions of roads which timber purchasers had wholly or partially constructed prior to the floods but which had not yet been accepted. The provisions also apply to that portion of the estimated cost of completing road construction not accomplished prior to the floods which exceeds the road construction costs originally estimated for such portions where the excess was the result of changed conditions brought about by the floods. The estimates of cost in each case would be made by the appropriate Secretary's representative.

In the case of roads that timber purchasers were required to construct under their timber sale contracts on which work had not been started at the time of the floods, the provisions of subsection (a) of section 2 would also apply to that portion of the current estimate of road construction costs which exceeds the original estimate because of changed conditions resulting from the floods. For work not performed prior to the floods, and for which the original cost estimates still prevail, costs shall be assigned under the terms of the original timber contract.

Thus, section 2(a) provides for reimbursement for three kinds of costs:



1. Costs necessary to reproduce in replica work formerly done which was destroyed by the floods.

2. Costs necessary to replace the damaged or destroyed facility in a new location because the old location is no longer usable as a result of the floods.

3. Costs in excess of original estimates for contemplated construction which had not been performed but which costs will be incurred upon constructing the needed facility.

The reimbursements authorized in this section are mandatory, not permissive, and are in recognition of the Government's responsibility as a landowner and proprietor. The small deductible of 15 percent is in recognition that the operator should take some of the risks of normal winter maintenance on roads which have not stabilized. But it also recognizes that such natural catastrophes as floods and earthquakes are an inherent risk of landownership and provides that contracts may be adjusted so that the Government assumes a major share of such risk of loss if damage occurs. This principle is equitable to both the Government and the purchasers of its timber.

Section 3(b) provides the Secretaries with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement.

*Increased authorization for emergency funds for Federal-aid highway systems*

Section 3(a) would amend section 125 of title 23, United States Code, to increase the annual authorization for emergency road funds for the Federal-aid systems from \$30 to \$80 million for fiscal year 1965 and \$50 million for each fiscal year thereafter.

The recommended increase of \$50 million in the authorization for fiscal year 1965 would provide for the estimated \$44 million of unfunded reconstruction work on the Federal-aid systems required to restore the flood damages, and the annual increase after fiscal year 1965 from \$30 to \$50 million is consistent with the increasing flood damages due to the growth in the capital investment in the Nation's highway system.

This emergency fund is not cumulative; it is the product of annual replenishment, and withdrawals for this purpose from the highway trust fund will be reimbursed by appropriations from the general fund.

*Increased authorization for forest development roads and trails for fiscal year 1966*

Section 4 would authorize an additional \$38 million for forest development roads and trails for the fiscal year ending June 30, 1966, bringing the total authorization for that year to \$123 million. This section stipulates that the additional \$38 million shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, and Idaho damaged by the recent floods.

The \$38 million recommended by the committee will finance the remaining unfunded balance of repair work on the 12,000 miles of damaged roads reported by the Forest Service, which is estimated at \$36 million, and will provide \$2 million to enable the Government to reimburse timber purchasers in accordance with the provisions of section 2(a) of S. 327. The committee assumes that this authority will be administered by the Forest Service as part of its general construction program for forest development roads and trails.

*Reduction of minimum time required for advertising sale of national forest timber*

One of the effects of the disastrous storms and floods in the Pacific Northwest last winter has been the complete disruption or serious impairment of access to sources of tim-

ber supply from the national forests for the wood-using industries of the region. Until this access can be restored, other sources of timber must be provided if the affected industries are to continue operation. Otherwise, communities dependent on the timber industry will face the imminent prospect of mills shut down and severe unemployment.

To help avert this condition, section 5 would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

*Compliance with requirements of law regarding entry on public lands*

Because of the havoc created by the floods and high waters, persons seeking to perfect their rights in entries under the various public land laws have been disadvantaged. Section 6 would grant authority to the Secretary of the Interior to suspend the time limits embodied in those laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters.

*Maturity date of loans made under the Small Business Act*

In many cases a person whose home has been destroyed or extensively damaged is placed in serious financial straits. Although his resources may be very limited, he must find some means of financing replacement or repairs and, at the same time, continue meeting his existing mortgage obligations. Thus the Small Business Administration is often compelled to refuse a loan because the applicant cannot demonstrate ability to repay on a 20-year amortization basis.

Section 7 of S. 327 would amend the Small Business Act to allow for the maturity of such loans up to 30 years.

*Survey of bank stabilization of the Eel River, Calif., and provision for reimbursement of work performed*

Of primary importance to a large area of northwestern California is the restoration of the Northwestern Pacific Railroad, which carries approximately 80 percent of the freight in its service area—an area in which the timber industry comprises 70 percent of the economy.

Northwestern Pacific Railroad lines extend from San Rafael, Calif., to Eureka, Calif., a distance of about 285 miles. For approximately 100 miles the line follows the precipitous canyon of the Eel River, between Longvale, 30 miles north of Willits, and the river's outlet to the Pacific in the Eureka area. It was this 100-mile section which was virtually wiped out by the flooding of the Eel River during Christmas week of 1964.

In some areas, not only were the rails washed away, but also the complete roadbed, including the protective riprap between the river and the roadbed. Huge redwood logs, carried by the raging floodwaters, knocked out three large steel bridges and in many areas completely covered the trackage.

The cost of restoring the line has been estimated by the management of the Northwestern Pacific at \$10,700,000, including \$3,625,000 in protective works to stabilize the streambanks and prevent further damage from recurrent floods or high water.

The railway management has acted with great dispatch and with high regard for its responsibility to the economy of the region by taking emergency action to restore the lines and resume operations at the earliest possible date. Between 750 and 800 workmen have been employed with much overtime work at 10 different locations. As of April 12 the company had expended in excess of \$5,600,000 on reconstruction work.

S. 327 would not authorize reimbursement of the line for such items of work as wreckage and debris clearance or recon-

struction of its trackage. In addition to this kind of work, however, and of major importance in expediting the restoration of the railroad and in preventing further permanent damage, is correction of the Eel River Channel by providing essential minimum riprap protection along the stream channel. This would include clearing the channel where debris, large boulders, and rocky point projections in the channel forced the stream against the river channel and subsequently undermined the railroad embankment. Much of this work is not on the railroad right-of-way.

Section 8(a) would authorize the Secretary of the Army to conduct a survey of the Eel River to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to the railroad lines, and directs the Secretary to report to the Committees on Public Works of the Senate and the House of Representatives within 120 days. By resolution the committees would authorize the Secretary to perform such recommended work as the committees approve and to reimburse the Northwestern Pacific for its expenditures on such approved work prior to the date of adoption of the resolution.

Section 8(b) authorizes the expenditure of \$250,000 from funds already appropriated for general investigations.

Section 8(c) authorizes the appropriation of such funds as may be necessary for carrying out work and making reimbursements authorized in accordance with this section.

TERMINATION

Section 9 stipulates that except for sections 3, 4, and 8, and except for payment of expenditures for obligations and commitments entered into prior to June 30, 1966, this act will not be in effect after June 30, 1966.

Title

Section 10 entitled the act as the "Pacific Northwest Disaster Relief Act of 1965."

Mr. KUCHEL. Mr. President, I desire to have the RECORD show that I wholeheartedly endorse the proposed legislation, which is also endorsed by my colleague from California [Mr. MURPHY], by the two Senators from Alaska [Mr. BARTLETT and Mr. GRUENING], and by the Senator from Idaho [Mr. JORDAN].

When the bill reaches the House, certain problems affecting the people of my State may possibly give rise to some amendments. However, because we are dealing with an urgent situation, the bill should be moved through the Senate.

Mr. MURPHY. Mr. President, as a cosponsor of S. 327, and a member of the Senate Public Works Committee, I raise to urge its enactment. Words are inadequate to properly convey the catastrophic damages that occurred during the late December and early January floods in the Northwest. Only a personal inspection of the area would fully enable one to comprehend this disaster.

My first job as a U.S. Senator was to tour the stricken areas, and observe firsthand the result of uncontrolled nature. The flood damage was widespread and touched every activity in the area. Homes, schools, factories, and the transportation system were among the flood's victims.

The Office of Emergency Planning estimated that the total damage to the Northwestern United States exceeded \$450 million and my State of California alone suffered \$200 million in damages.

These citizens need assistance and need it immediately. Although Federal and



State programs are alleviating the damage, it is clear that further Federal assistance is required. Delay will tend to aggravate the already overwhelming difficulties the region and people are experiencing.

All of the witnesses who appeared before the Public Works Committee and all of my colleagues on the committee appreciated the emergency nature of the situation and the necessity for urgent action.

Expeditious enactment of this measure by the Senate will extend a helping hand to the hard-working and energetic citizens who, through no fault of their own, must now attempt to pick up the pieces and rebuild their homes and communities.

Mr. JORDAN of Idaho. Mr. President, I am pleased that S. 327 which will provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by floods and high waters during the past winter has been reported by the Senate Committee on Public Works. I join other Senators from these States in urging prompt and favorable action by the Senate on this important legislation.

In December of 1964 and January of 1965 many parts of these four States had unprecedented falls of snow and rain. This along with unseasonably warm weather caused most of the streams and rivers in these areas to become raging, unmanageable torrents. Bridges were washed out, roads and railroad tracks destroyed and millions of dollars worth of livestock were killed. Logs, lumber and wood products were carried away by these waters and made unfit for use. Towns and farms were inundated and littered with debris of every sort. Many towns were isolated for days and could only be reached by helicopters. The people in these communities responded in true American tradition to start repairs on the property damaged such as homes, farms, mills, and plants. Before the usual full economy of these areas can be restored it is necessary to repair and rebuild their transportation systems. The economy of most of the communities is tied in with timber, agriculture, or minerals. We need emergency repairs to highways, bridges, and forest roads and trails. The purpose of this bill is to authorize funds for this necessary work. Many of these facilities are located on Federal lands. Our State and local agencies as well as private property owners are responding magnificently. Our Idaho State Highway Department is working closely with the Federal Bureau of Public Roads and with our local counties. The counties affected are straining every fiber to meet the needs of local communities in restoring county roads and bridges. Some of our Idaho cities have actually expended money allocated to other necessary local needs in order to meet this emergency restoration program.

This amendment to S. 327 along with other purposes of the bill will provide for accelerated emergency relief funds by authorizing \$80 million for restoration purposes for the remainder of this

fiscal year and \$50 million annually for future years. While the damage in Idaho is not as great as in California or Oregon, preliminary figures indicate it will require more than \$11 million of Federal, State, and local funds to restore our damaged highways, bridges, roads, and forest trails. In addition the damage to private property will run into millions of dollars. Property owners will pay this from their own funds or in some instances from borrowed funds. Had it not been for the fact that the dams and reservoirs built for multipurpose use on our rivers were operated in an efficient and effective manner to stabilize and equalize the water runoff, our damage would have been much greater.

Mr. President, I am attaching a list to this statement indicating the amounts of money that are estimated to be necessary along with the agencies and counties involved in this undertaking in the State of Idaho. I am sure when you study this list, you will agree with me that the individuals, the counties, the States and local governments are coordinating their program in an excellent manner.

#### Total estimated flood repair needs

Army Engineers.....	\$3,460,000
Idaho State Highway Department.....	2,093,000
U.S. Forest Service.....	3,974,560
U.S. Bureau of Reclamation.....	55,000
U.S. Bureau of Land Management.....	180,000
Idaho counties (incomplete).....	1,315,800

Total..... 11,078,360

#### Breakdown of Idaho counties reported to date

Ada.....	\$25,000
Blaine.....	35,000
Butte.....	5,640
Cassia.....	5,000
Elmore.....	125,000
Lewis.....	8,800
Nez Perce.....	217,600
Minidoka.....	100,000
Madison.....	22,000
Washington.....	311,760
Power.....	460,000

Total..... 1,315,800

**THE PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 327) was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KUCHEL. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD subsequently said: Mr. President, on behalf of the Senator from Alaska [Mr. BARTLETT], I ask unanimous consent to insert his statement on S. 327 into the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR BARTLETT

It was with great satisfaction that I noted the Senate took prompt action on aid for flood stricken areas of Oregon, Washington, California, and Idaho.

We Alaskans know too well the havoc and financial loss inflicted by nature on the rampage.

We are well aware that commercial insurance only covers a fraction of the financial loss.

We know the importance of promptly bending our back to the task of rebuilding stricken communities.

In the true tradition of America, the people of the Nation, through their Government, came to the aid of Alaska last year. We know the value of that help.

In the same spirit, the Senate has voted financial assistance to these flood ravaged areas.

I am proud to be a cosponsor of this bill.

#### LEGISLATIVE APPORTIONMENT

Mr. DOUGLAS. Mr. President, the February issue of the American Bar Association Journal contains an excellent article on the Supreme Court decisions on reapportionment of the State legislatures. Its author, Robert McKay, is the associate dean and a professor of law at New York University. He is the author of the forthcoming book, "Reapportionment: The Law and Politics of Equality."

In his article, Dean McKay develops the background of the present rotten-borough system, which deprives many of our citizens of a full vote simply because of where they live. This situation brought about the Supreme Court rulings, beginning in 1962, that to dilute the strength of a person's vote because of his place of residence denies him the equal protection of the laws guaranteed him by our Constitution. The Court's finding was clear: the malapportioned legislatures give many citizens drastically less representation than others, in violation of the 14th amendment and the basic principles of representative democracy.

The Senate Subcommittee on Constitutional Amendments now has before it several proposed constitutional amendments designed to allow States to continue to deny the standards of fair representation which the Court has correctly held are required by the Constitution. I ask unanimous consent that Dean McKay's article entitled "The Reapportionment Decisions: Retrospect and Prospect," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE REAPPORTIONMENT DECISIONS: RETROSPECT AND PROSPECT

(By Robert B. McKay, associate dean and professor of law at New York University School of Law)

By the end of 1964 it already had become a cliché of constitutional law to state that *Baker v. Carr*, 369 U.S. 186 (1962), and *Reynolds v. Sims*, 377 U.S. 533 (1964), had ordained a constitutional revolution in State legislative representation; and that *Wesberry v. Sanders*, 376 U.S. 1 (1964), had decreed the necessity for similar, although somewhat less dramatic, changes in congressional district-

<sup>1</sup> Companion cases decided at the same time as *Reynolds v. Sims* were *WMCA, Inc. v. Lomenzo*, 377 U.S. 633; *Maryland Committee for Fair Representation v. Tawes*, 377 U.S. 656; *Davis v. Mann*, 377 U.S. 678; *Roman v. Sincock*, 377 U.S. 695; and *Lucas v. Forty-Fourth General Assembly of Colorado*, 377 U.S. 713.







89TH CONGRESS  
1ST SESSION

# S. 327

---

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1965

Referred to the Committee on Public Works

---

## AN ACT

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes (1) that the States of Cali-  
4       fornia, Oregon, Washington, and Idaho have experienced  
5       extensive property loss and damage as the result of floods  
6       and high waters during December 1964, and January and  
7       February 1965, (2) that much of the affected area is fed-  
8       erally owned and administered, and (3) that the livelihood  
9       of the people in the area is dependent on prompt restoration  
10      of transportation facilities, and therefore Congress declares

1 the need for special measures designed to aid and accelerate  
2 those States in their efforts to provide for the reconstruction  
3 of devastated areas.

4 SEC. 2. (a) Notwithstanding provisions of existing con-  
5 tracts, the Secretary of the Interior and the Secretary of Agri-  
6 culture, separately, with funds and authorizations available to  
7 him for the construction and maintenance of highways, roads,  
8 and trails, shall reimburse timber sale contractors to the ex-  
9 tent of costs estimated by the Secretary's representative as  
10 incurred or to be incurred by the contractor for restoring  
11 roads in any stage of construction authorized by a timber  
12 sale contract to substantially the same condition existing prior  
13 to the damage resulting from the floods of December 1964,  
14 and January and February 1965 in California, Idaho, Ore-  
15 gon, and Washington, and to the extent costs estimated by  
16 the Secretary's representative as incurred or to be incurred  
17 by the contractor for completing road construction not per-  
18 formed prior to the floods but which, because of changed con-  
19 ditions resulting from the floods, exceed road construction  
20 costs originally estimated by the Secretary's representative.  
21 The estimated costs for such road restoration, reconstruction,  
22 and construction under any single timber purchase contract  
23 on roads not accepted prior to the floods, whether construc-  
24 tion was complete, partial, or not yet begun, shall be borne as

1 follows: The timber purchaser shall bear 15 per centum of all  
2 amounts: *Provided*, That the purchaser shall not be required  
3 to bear costs of more than \$4,500. The Secretary shall bear  
4 the remaining portion of such costs.

5 (b) Where the Secretary determines that damages are  
6 so great that restoration, reconstruction, or construction is  
7 not practical under the above cost-sharing arrangement, the  
8 Secretary may allow cancellation of the contract notwith-  
9 standing provisions therein.

10 SEC. 3. (a) That section 125 of title 23, United States  
11 Code, is amended to delete the second sentence of paragraph  
12 (a) and insert in lieu thereof the following: "There is au-  
13 thorized to be appropriated not to exceed \$80,000,000 for the  
14 fiscal year ending June 30, 1965, nor to exceed \$50,000,000  
15 for each fiscal year thereafter, for the establishment and  
16 annual replenishment of this fund."

17 (b) That section 125 of title 23, United States Code,  
18 is amended to delete the period at the end of the second  
19 sentence of paragraph (b) and insert in lieu thereof the  
20 following: ", and unless the Secretary has reported the  
21 proposed expenditure to the Public Works Committees of the  
22 Senate and House of Representatives and has not received  
23 disapproval of the proposed expenditure from either com-  
24 mittee within thirty days following submission of his report."



1        SEC. 4. Paragraph (3) of section 2 of the Federal-Aid  
2    Highway Act of 1964 is amended to read as follows:

3        “(3) For forest development roads and trails, \$123,-  
4    000,000 for the fiscal year ending June 30, 1966, of which  
5    not to exceed \$38,000,000 shall be used solely for the con-  
6    struction, repair, and reconstruction of forest development  
7    roads and trails in the States of California, Oregon, Wash-  
8    ington, and Idaho necessary because of the floods and high  
9    waters in such States during December 1964, and January  
10   and February 1965, and \$85,000,000 for the fiscal year  
11   ending June 30, 1967.”

12       SEC. 5. The Secretary of Agriculture is authorized to  
13   reduce to seven days the minimum period of advance public  
14   notice required by the first section of the Act of June 4,  
15   1897 (16 U.S.C. 476), in connection with the sale of timber  
16   from national forests, whenever the Secretary determines that  
17   the sale of such timber will assist in the reconstruction of  
18   any area of California, Oregon, Washington, and Idaho  
19   damaged by floods or high waters during December 1964,  
20   and January and February 1965.

21       SEC. 6. The Secretary of the Interior is authorized to  
22   give any public land entryman such additional time in which  
23   to comply with any requirement of law in connection with  
24   any public land entry for lands in Oregon, Washington,  
25   California, and Idaho as the Secretary finds appropriate

1 because of interference with the entryman's ability to comply  
2 with such requirement resulting from floods and high waters  
3 during December 1964, and January and February 1965.

4 SEC. 7. Loans made pursuant to paragraph (1) of  
5 section 7 (b) of the Small Business Act (15 U.S.C. 636 (b) )  
6 for the purpose of replacing, reconstructing, or repairing  
7 dwellings in Oregon, Washington, California, and Idaho,  
8 damaged or destroyed by the floods and high water of De-  
9 cember 1964, and January and February 1965, may have  
10 a maturity of up to thirty years, except that section 7 (c) of  
11 such Act shall not apply to such loans.

12 SEC. 8. (a) The Secretary of the Army is authorized  
13 and directed to make a survey to determine what protective  
14 works would be necessary to prevent the recurrence of dam-  
15 age by floods or high waters to those banks of the Eel River,  
16 California, which are adjacent to the trackage of any com-  
17 mon carrier by railroad and shall report to Congress the re-  
18 sults of such survey together with the cost of any recommended  
19 work within one hundred and twenty days after the date  
20 of enactment of this Act. The Secretary is authorized (1) to  
21 perform such of the recommended work as may be approved  
22 prior to June 30, 1966, by resolution adopted by the Com-  
23 mittees on Public Works of the Senate and the House of  
24 Representatives, and (2) after the adoption of such a resolu-  
25 tion, to reimburse any common carrier for any such recom-

1 mended work approved by such resolution which is under-  
2 taken before the date of adoption of such resolution.

3 (b) The costs of the survey authorized in this section  
4 shall be paid from funds heretofore appropriated for general  
5 investigations. Such costs shall not exceed \$250,000.

6 (c) There is authorized to be appropriated such amount  
7 as may be necessary for carrying out work and making re-  
8 imbursements authorized in accordance with this section.

9 SEC. 9. This Act, other than sections 3, 4, and 8, shall  
10 not be in effect after June 30, 1966, except with respect to  
11 payment of expenditures for obligations and commitments en-  
12 tered into under this Act on or before such date.

13 SEC. 10. This Act may be cited as the "Pacific North-  
14 west Disaster Relief Act of 1965".

Passed the Senate April 23, 1965.

Attest:

FELTON M. JOHNSTON,

*Secretary.*





---

## AN ACT

---

To provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

APRIL 26, 1965

Referred to the Committee on Public Works







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

Issued April 29, 1965

For actions of April 28, 1965

89th-1st; No. 75

### CONTENTS

Appropriations.....8,33	Freedom Academy.....22	President's news
Census.....27	Health.....7,25	conference.....18
Civil defense.....17	Housing.....14	Public lands.....3
Dairy products.....29	Job Corps.....18	Research.....24,32
Disaster relief.....2	Manpower.....20	River basins.....4
Education.....15	Natural beauty.....21	Supplemental
Farm labor.....16	Nominations.....18,19	appropriations.....33
Flood control.....4	Parkway.....31	Tobacco.....23,25
Food additives.....30	Personnel.....26	Transportation.....5
Foreign aid.....9,12	Pest control.....28	Water pollution.....1
Foreign trade.....10	Pesticides.....11	Watersheds.....6,13
Forestry.....3	Poverty program.....18	

HIGHLIGHTS: House received conference report on second supplemental appropriation bill. House passed water pollution control bill. House committee voted to report Northwest flood disaster relief bill. House Rules Committee cleared omnibus transportation bill. Senate committee reported foreign aid authorization bill. Sen. Tower introduced and discussed bill to transfer Division of Predator and Rodent Control from Interior to USDA. Sen. McGovern introduced and discussed bill to provide assured supply of milk for assistance programs.

### HOUSE

1. WATER POLLUTION. By a vote of 396 to 0, passed with amendments S. 4, the proposed Water Quality Act of 1965 (pp. 8362-8400, 8438-9). As passed the bill includes provisions as follows: Provides for the creation of a Federal Water Pollution Control Administration in HEW. Authorizes a 4-year program at an annual level of \$20 million for grants to develop projects which will demonstrate new or improved methods of controlling waste discharges from storm sewers or combined storm and sanitary sewers. Authorizes an increase in the

ceiling limitations on grants for construction of waste treatment works from \$600,000 to \$1.2 million for an individual project and from \$2.4 million to \$4.8 million for a joint project in which two or more communities participate.

2. FLOOD DISASTER RELIEF. The Public Works Committee voted to report (but did not actually report) with amendment H. R. 7303, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods and high waters. p. D331
3. FORESTRY; PUBLIC LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 396, to provide that until June 30, 1968, Congress shall be notified of certain proposed public land actions. p. D330
4. FLOOD CONTROL; RIVER BASINS. The Public Works Committee voted to report (but did not actually report) H. R. 6755, to authorize additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control. p. D330
5. TRANSPORTATION. The Rules Committee reported a resolution for consideration of H. R. 5401, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system. p. 8452
6. WATERSHEDS. The "Daily Digest" states that the Public Works Committee "approved four watershed projects and seven flood control resolutions." p. D331
7. HEALTH. The Rules Committee reported resolutions for consideration of H. R. 2984, to amend the Public Health Service Act provisions for construction of health research facilities, and H. R. 2986, to extend and amend certain provisions of the Public Health Service Act relating to community health services. p. 8452
8. APPROPRIATIONS. Permission was granted the Appropriations Committee to file by midnight, Thurs., Apr. 29, a report on the Departments of Labor and HEW and related agencies appropriation bill for 1966. p. 8357
9. FOREIGN AID. Rep. Erlenborn criticized foreign aid expenditures abroad and cited reports of GAO in support of his position. pp. 8408-9
10. FOREIGN TRADE. Rep. Saylor inserted a "set of documents illustrating the policies adopted by other countries to assure their own industries and workers - at the exclusion of foreigners - of obtaining public works contracts." pp. 8426-32

#### SENATE

11. PESTICIDES. The Commerce Committee reported with amendment S. 1623, to authorize a continued study by the Department of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife (S. Rept. 169). p. 8456
12. FOREIGN AID. The Foreign Relations Committee reported an original bill, S. 1837, to amend the Foreign Assistance Act of 1961 (S. Rept. 170). p. 8456







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C.

20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

Issued

May 7, 1965

For actions of

May 6, 1965

89th-1st; No. 81

### CONTENTS

Adjournment.....15	Foreign trade.....9,11,35	Public works.....9
Appropriations..4,14,20,28	Housing.....2,30	Reclamation.....6
Area redevelopment.....12	Intergovernmental	River road.....37
ASC Committee.....3	relations.....33	Soil conservation.....28
Cigarette labeling.....12	Labeling.....27	Tariffs.....11,35
Coffee.....14	Legislative program....14	Tobacco.....21
Disaster relief.1,16,23,32	Loans.....34	Transportation.....5
Expenditures.....18	Marketing.....27,29	Urban development.....2
Farm labor.....10	Opinion poll.....26	Water pollution.....22,31
Federal aid.....36	Personnel.....3,13,18	Water resources.....19
Flood control.....7	Plums.....29	Water systems.....34
Foreign aid.....8,17,24	Poverty.....13,25,28	Wheat.....26

HIGHLIGHTS: House committee reported northwest flood disaster relief bill. House passed omnibus transportation bill. House subcommittee voted to report housing and urban development bill. House committee voted to report ASC county committee employees fringe benefits bill. House committee reported independent offices appropriation bill. Senate committee voted to report cigarette labeling bill.

### HOUSE

1. DISASTER RELIEF. The Public Works Committee reported with amendment H R. 7303, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods and high waters (H. Rept. 310). p. 9388
2. HOUSING AND URBAN DEVELOPMENT. A subcommittee of the Banking and Currency Committee voted to report to the full committee H. R. 5840, the proposed Housing and Urban Development Act of 1965. p. D367
3. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment H R. 2452, to extend the benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to ASC county committee employees who transfer to competitive civil service jobs. p. D368



4. INDEPENDENT OFFICES APPROPRIATION BILL, 1966. The Appropriations Committee reported this bill, H. R. 7997 (H. Rept. 320). p. 9388
5. TRANSPORTATION Passed with amendments H. R. 5401, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system (pp. 9333-45). As passed the bill would:
  - "Provide for Federal-State cooperation in the motor carrier field through agreements for the enforcement of State and Federal economic and safety laws and regulations and through establishing standards for the registration within the several States of Federal certificates and permits.
  - "Aid enforcement in the motor carrier field by extending the civil forfeiture provisions of the act and increasing the amounts of maximum forfeiture, and by permitting any persons injured through certain violations of certain operating authority requirements of the act (applicable to freight forwarders as well) to apply directly to the courts for injunctive relief.
  - "Restore a procedure permitting shippers to recover reparations from motor carriers and freight forwarders.
  - "Encourage the development of water transportation upon inland waterways where no certificate may be in effect by providing that any water carrier freely without a certificate can enter into the transportation of any goods over certain water routes, though its rates would be subject to regulation."
6. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H. R. 485, to authorize construction and maintenance of the Auburn-Folsom South unit, American River division, Central Valley project, Calif. (H. Rept. 295). p. 9388
7. FLOOD CONTROL. The Public Works Committee reported without amendment H. R. 6755 to authorize additional appropriations for prosecution of projects in certain comprehensive river basin plans for flood control (H. Rept. 309). p. 9388
8. FOREIGN AID. The Foreign Affairs Committee was granted until midnight, Fri., May 7, to file a report on H. R. 7750, the foreign aid authorization bill. p. 9363
  - Rep. Sweeney commended the foreign aid program and inserted a summary of goods produced in Ohio that have been exported under the program. pp. 9353-6
  - Rep. Matsunaga commended assistance under the foreign aid program in aiding under-developed countries in developing their agricultural resources. pp. 9379-80
9. FOREIGN TRADE. Rep. Moore criticized U. S. foreign trade policies and inserted an article, "Export Benefits Cannot Outrun Import Damage." pp. 9357-60
  - Rep. Saylor inserted the sixth of a series of articles "on purchasing practices of other governments in contracting for public works projects." pp. 9369-76
10. FARM LABOR. Rep. Cohelan inserted an article critical of the working and living conditions of migratory farm workers, "Slaves For Rent - The Shame of American Farming." pp. 9346-52
11. TARIFFS. The Ways and Means Committee voted to report (but did not actually report) H. R. 7969, the proposed Tariff Schedule Technical Amendments Act of 1965. p. D368

## THE PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

---

MAY 6, 1965.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. JONES of Alabama, from the Committee on Public Works, submitted the following

### R E P O R T

[To accompany H.R. 7303]

The Committee on Public Works, to whom was referred the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, having considered the same, report favorably thereon with an amendment and recommend that the bill do pass.

The amendment strikes out all after the enacting clause and inserts a complete substitute which appears in the reported bill in italic type.

#### GENERAL STATEMENT

The catastrophic floods in northern California, Oregon, and contiguous parts of Nevada, Idaho, and Washington during the latter part of December 1964 were among the worst experienced in the history of the United States.

The President of the United States, under Public Law 81-875, declared the area a major disaster area. All available machinery of the Federal and State governments, as well as of the county and municipal jurisdictions, was directed to immediate relief and subsequent rehabilitation. The Army, Navy, Marine, and Air Force all supplied equipment and services to transport food and forage, clothes, fuel, and other necessities.

The catastrophe prompted the House Committee on Public Works to send a special subcommittee to the area to inspect the damage and to meet with Federal, State, and local officials. The subcommittee discussed the entire program of relief and rehabilitation, as well as long-range Federal plans of water resource development, including flood control.

On its return from the inspection trip the Special Subcommittee To Inspect Flooded Areas in the Northwestern United States reported to the full Committee on Public Works the results of its trip.

This report is printed as House Committee Print No. 8 for the Committee on Public Works, 89th Congress. On March 9, 10, and 11, 1965, in conjunction with this report, the Subcommittee on Flood Control held hearings on H.R. 798 and related bills dealing with the problem of the Pacific Northwest floods. At this hearing, testimony was received from Members of Congress who represent the disaster areas; Federal, State, and local agencies; private enterprise, and individual citizens.

As a result of these hearings new legislation was introduced, H.R. 7303, the reported bill. This bill contains what the committee believes is needed and necessary to give further aid to the disaster-stricken areas.

#### DESCRIPTION OF THE FLOODS OF DECEMBER 1964 AND JANUARY 1965

##### *The storms*

The unprecedented flood runoff on streams in the Northwestern Pacific States in December and January resulted from the combination of moist Pacific air and Alaska cold air flowing through a low-pressure trough into the northern California-Oregon area. Heavy rains, falling on frozen or saturated ground, augmented by snowmelt from the higher mountain areas during the period December 19-27 produced record-breaking streamflows, particularly in the Willamette and Sacramento Basins and in the coastal streams of Oregon and northern California.

Accurate records of precipitation are only partially complete because of the destruction of rain gages by high winds, the failure of communications, and the loss of gages at streamflow observation stations. Some rainfall stations recorded as high as 24 inches in 3 days. It is believed that in some zones over the Eel, Feather, Yuba, and American River Basins, rainfall in the 9-day period of the storm totaled possibly over 30 inches, based on consideration of the actual runoff stored in reservoirs and the duration of flows.

Throughout the entire flood region from San Francisco to Portland, about one-third of a normal year's precipitation fell within the 9 days. This precipitation fell on ground already completely saturated by general rains in late November and early December, and then rendered hard by subfreezing temperatures for 3 days before the storm. The first precipitation (December 19-21) took the form of exceptionally heavy snowfall. This was followed by 2 days of intense rain accompanied by abnormally warm temperatures.

The statistically rare combination of prolonged torrential rains and melting snow on frozen or saturated soils presented the ideal combination of hydrologic circumstances to produce extreme flood discharges. In addition, in various valleys, landslides are believed to have stored floodwaters for a number of hours and then to have broken to cause surges downstream which aggravated flood destruction.



*The floods*

The results were spectacular and catastrophic. Headwaters streams rose to record discharges within a period of 30 hours. Bridges that normally span high above the currents were under water, their trusses torn away, some of their piers overturned. The Rogue River crested 10 feet above major flood—a level estimated to average once in 50 years. The Willamette headwaters reached the estimated 100-year magnitude. In Portland Harbor, despite the controls provided upstream, the Willamette crested almost 5 feet above the major flood and 1½ feet higher than any previous winter flood observed in the past 90 years. Without the upstream controls, the water level would have reached the estimated 500-year frequency level. On the Payette, in Idaho, flood stages exceeded anything previously known to residents of the area and flooded almost every square mile of the valley floor. In many other instances the recorded peak flows were 50 percent greater than previous maximums.

To the south, in California, flows were also breaking records. On the unregulated Eel River, flows reached 780,000 cubic feet per second at Fernbridge, and 700,000 cubic feet per second at Scotia, compared with previous records of 560,000 and 540,000, respectively. On the Klamath, flows reached 500,000 cubic feet per second compared with 425,000; on the Smith, 200,000 compared with 165,000; and on the Mad, 100,000 compared with 78,000. Even some of the partly regulated rivers reached record flows. The Sacramento, for example, reached a flow of 480,000 cubic feet per second compared with the previous record of 405,000; the American, 280,000 compared with 245,000; and the Feather, 245,000 compared with 230,000.

## FLOOD DAMAGES

The floods damaged over 12,000 homes, half of which were demolished, affecting some 20,000 families. Forty-five persons died in the flood or immediately related events, and some 2,000 persons were injured. Over 35,000 farms were flooded in California alone, and disaster to the cities of Sacramento and Portland was narrowly averted by the operation of completed flood control projects. The costs in human suffering cannot be evaluated. But physical damages are tentatively estimated to approach about a half billion dollars, and the secondary economic effects in the region and the Nation will never be fully known. Preliminary estimates indicate that without the existing Federal, State, and local reservoirs and levees in operation, total physical damages would have been almost three times as great.

The towns of Klamath Glen, Orleans, Myers Flat, Shively, Weott, Pepperwood, Stafford, T-Bar, and South Fork were swept away, and Scotia, Rio Dell, and Metropolitan were partly obliterated. Many miles of railroads and highways were destroyed, access to communities was completely cut off, cattle and stocks of materials were swept away, and the timber industries were affected so severely that some estimates indicate that as many as 4,000 or 5,000 people may be out of work for periods of up to 6 months.

Major damages occurred to forest roads used for the transport of logs in timber areas. Highway and railroad washouts disrupted transportation in the coastal tributary valleys and severed connections between interior areas and the California coast.

Nothing previously seen approached the ferocity of the flood that desolated the Eel River Canyon. The main line of the Northwestern Pacific Railroad was largely washed out over a distance of 100 miles. Sections of track several hundred feet long dangled on the canyon sides or entirely disappeared. Bridges and culverts were gone; slides buried entire sections of the roadbed; and even some tunnels had been invaded and damaged by the floodwaters and the debris. Heavy railroad freight cars had been tossed down like toys and were lying at random along the canyon floor.

Small communications stations along the railroad and many sections of highway were also completely destroyed. The subcommittee was told at the time of its trip to the area that it would take about \$6 to \$8 million to repair the railroad, and those estimates have had to be revised upward. Disruption of rail service in the Eel Valley severed the principal route for transportation of plywood, redwood lumber, and other forest products from the area. Sawmills were also damaged, and major portions of stockpiled logs were strewn along the valley or carried downstream and out to sea.

Tremendous drifts of logs and timber were carried to the coast by the floodwaters and strewn along the beaches and deposited in the harbors by the tides and winds. It was learned later that some logs from the northern California streams had drifted northward halfway up the Oregon coast.

While detailed damage surveys for the region will not be completed for a number of months, figures now available indicate the following damages in the public and private sectors by States:

*Preliminary estimates of flood damages, by States*

[In millions of dollars]

State	Damages		
	Public	Private	Total
Oregon.....	95.0	147	242.0
California.....	140.0	60	200.0
Washington.....	9.0	3	12.0
Idaho.....	5.5	2	7.5
Nevada.....	.5	(1)	.5
Total.....	250.0	212	462.0

<sup>1</sup> Not available.

The following table summarizes preliminary estimates of flood damages in the major river basins of the disaster area:

*Preliminary estimates of flood damages, by river basins*

<i>River basin (from south to north)</i>	<i>Estimated damages (thousands)</i>
San Francisco Bay tributaries:	
Napa River.....	\$500
Sonoma Creek.....	370
Subtotal.....	870
Sacramento-San Joaquin Basins:	
Sacramento River and tributaries.....	25, 000
San Joaquin tributaries.....	4, 000
Subtotal.....	29, 000
Lahontan Basin: Truckee and Carson Rivers.....	2, 000
Coastal basins, California:	
Russian River.....	9, 000
Eel River.....	60, 000
Mad River.....	5, 000
Redwood Creek.....	1, 000
Klamath River.....	100, 000
Crescent City.....	9, 000
Smith River.....	
Subtotal.....	184, 000
Coastal basins, Oregon:	
Rogue River.....	22, 600
Umpqua River.....	31, 200
Coquille River.....	7, 100
Others.....	5, 200
Subtotal.....	66, 100
Willamette River.....	109, 000
Lower Columbia River and Columbia River tributaries.....	57, 000
Miscellaneous areas.....	14, 000
Total (rounded).....	462, 000

Major specific classes of damages and losses are discussed below:

*Transportation and the timber industry*

A principal effect of the northwest floods, in addition to loss of lives, was the effect on transportation. There was a high degree of destruction of railroads and highways. It has been estimated that a year or more may be required to restore transportation to its former status. Major disruption occurred particularly in the northern California area; damages to transportation in Oregon and elsewhere are of a type and nature that can be repaired more rapidly.

The major industry in the northwest area affected by these floods is the production of forest products, particularly plywood, and some redwood and other lumber. The bulk of these products in northern California has been transported southeasterly by the railroad along the Eel River Canyon and then across the mountains to the northern part of the Central Valley of California and the major rail termini.

Highway damage along the coast, although severe, was less widespread than in the stream valleys. At the time of the inspection by the subcommittee, all communications by road or rail were completely cut off from the Eureka area, except for very limited truck trans-



portation from the north over a hastily improvised ferry across the Klamath River.

Supplies to the area found access only by water or air for a considerable period of time during and after the flood. Aircraft of the armed services were called into use and performed heroic deeds in the transportation of supplies for man and feed for animals, and the aircraft carrier *Bennington* stood off the coast to provide planes and helicopters. A tragedy occurred in a helicopter crash with the loss of seven lives during the early part of the emergency.

The Secretary of Commerce and the Governors of California, Idaho, Oregon, and Washington declared an emergency in highway transportation due to the severe damages to highways and bridges.

The Bureau of Public Roads estimated in March 1965 that the Federal share of the costs of repairing damages to primary and secondary roads in California, Idaho, Oregon, and Washington would be about \$23,447,000; interstate highways in Oregon, \$1,400,000; and forest roads in the four States, about \$31 million—a total of about \$56 million.

In counties where lumbering is a major activity, reduced production and revenues from the national forests and Bureau of Land Management forests have serious effects on public revenues and the public services supported thereby. Thus, the forest revenues returned to Clackamas County, Oreg., represent about 25.7 percent of the county's budget for 1964-65, and loss of such income seriously affects the financial capabilities of the county.

#### *Losses in the national forests*

The total loss of timber in the December 1964 flood is not yet known. As already stated, millions of dollars' worth of lumber were swept out to sea or damaged, and many trees in the forests were uprooted or blown over.

The loss of timber, both growing and cut, will seriously affect the economic well-being of the northern California-southeastern Oregon area. Such loss may rank equally with transportation effects in the economic impact of the flood on both regional and national welfare. While the actual losses will eventually be replaced from stands that can be opened to the industry, replenishment by nature will take many years, and the extended economic effects may never be fully recovered.

Damages to national forest improvements resulting from the floods amount to about \$52 million. This includes damage to roads and related structures, camp and picnic areas, water and sanitary facilities, administrative improvements, and communication facilities. More than 2.6 billion board feet of national forest timber included in 458 timber sales will not be available at normal operating time because of impaired access. This directly affects 195 industrial plants which employ 20,000 people and are dependent upon national forest timber for a substantial portion of their annual production. Some mills lost all or portions of their log supplies and have been forced either to curtail operations or to close them completely until additional log supplies can be obtained.

Following is a summary of estimated damages to Forest Service facilities:

*Summary of December 1964 flood damages to Forest Service facilities*

Physical damages:

Roads completely destroyed or unusable.....	miles--	<sup>1</sup> 12, 000
Bridges and major culverts destroyed or unusable.....	units--	<sup>2</sup> 581
Trails washed out.....	miles--	4, 556
Trail bridges washed out.....	units--	47
Buildings and other administrative units.....	do--	210
Recreation projects affected.....	do--	1, 118
Soil and water projects affected.....	do--	<sup>3</sup> 4, 230

Estimated monetary damages:

Forest Service roads and trails.....	\$47, 000, 000
Improvements and resources.....	4, 800, 000

Total (rounded)..... 52, 000, 000

<sup>1</sup> Based on inspection of 9,090 miles (estimated at 75 percent of total).

<sup>2</sup> Estimated to be about 75 percent of total number; includes only those culverts over 4 feet in diameter.

<sup>3</sup> Includes debris removal and bank restoration and stabilization.

As one example of damages in a national forest, the forest supervisor of the Six Rivers National Forest, which covers 36 percent of the total acreage of Humboldt, Del Norte, and Trinity Counties, estimated that as a result of the flood 50 miles of Forest Service road would require complete relocation and construction; 130 miles, major reconstruction; and 45 major crossings, constructed or made safe. The total damages to the forest are estimated in excess of \$10 million.

The damages to recreational areas of Six Rivers National Forest are estimated to be about \$168,000. These facilities served 68,000 visitors last year. The flood damaged 1,400 miles of fishing streams within the Six Rivers National Forest, and scouring and silting killed most of the spawn. However, it is expected that recovery of fishing resources of the Smith, Klamath, Trinity, Mad, Van Duzen, and Eel Rivers will take place naturally, except for removal of debris to permit access by anadromous fish.

Land movements in the forest area are expected to continue throughout the winter, causing further damage to both managed and virgin lands. Interruption of access to parts of the forest will also increase the fire hazard after the wet season this spring.

### REGULATING THE FLOODS

Every Federal flood-control reservoir in the area, and many small irrigation reservoirs, were put to full use in helping to reduce flood-flows.

On the Willamette, releases and power generation at the seven dams were curtailed as soon as the streams started to rise. Outflows were held to a minimum until December 24, when it became apparent that special releases would have to be made in order to use effectively the remaining flood-control storage.

The record of inflows and outflows of the Willamette Reservoirs tells the story of the regulation that saved a half-billion dollars. At Lookout Point Reservoir, the maximum inflow reached 110,000 cubic feet per second; the outflow never exceeded 100. At Detroit Reservoir, inflows were 80,000 cubic feet per second, and outflows after the special releases reached 5,300; similarly, at Hills Creek Reservoir the outflows reached 1,600 cubic feet per second compared with a maxi-



mun inflow of 53,000. None of the other reservoirs registered an outflow as great as 200 cubic feet per second, and at big Cougar Dam the maximum outflow was 50; meanwhile, inflows were 100 times as great.

In order to retain these tremendous inflows, the seven reservoirs used virtually all their available storage space and four of them uses surcharge space. Combined, they retained 1,207,410 acre-feet of water, although the maximum space allocated to flood control storage is only 1,187,000 acre-feet.

Similarly, on the Columbia, storage was begun when it became apparent that a major flood was in progress. At least nine major reservoirs, and several smaller irrigation reservoirs, participated in holding the maximum outflow at Bonneville to about 500,000 cubic feet per second (without them, it would have reached 625,000).

In California, Folsom Dam on the American River held an inflow of 280,000 cubic feet per second—35,000 more than the previous record. For the second time in less than a decade, this structure prevented damage well exceeding its cost. On the Feather River, the State of California's Oroville Dam, only partly completed, blocked a record flow of 245,000 cubic feet per second (previous record 203,000, set in 1907). Though regulatory mechanisms have not yet been installed in this dam, the outflows were confined to the capacity of two tunnels, each 35 feet in diameter; the dam was able to hold the remainder of the inflow. This storage kept the Feather River from cresting simultaneously with the Yuba River at their junction near the cities of Marysville and Yuba City.

#### DAMAGES PREVENTED BY COMPLETED FEDERAL AND OTHER PROJECTS

The accomplishments of completed Corps of Engineers, Bureau of Reclamation, and State projects in the Sacramento River Basin, Calif., and in the Willamette River, Oreg., are dramatic evidence of the worth of the program. The narrow margins which remained both at Sacramento and at Portland before the flood levels finally began to drop are warnings against complacency, however, and provide an alert on the necessity for continued action in sound planning of worthwhile projects for flood control and water resources development.

The damages prevented by State and Federal flood-control systems during the December 1964 floods may well establish a new record. Though nowhere in the region were authorized flood-control systems complete, the damages saved in a few days by projects already in service were in the \$750 million to \$1 billion range. Some projects paid for themselves in this one flood.

Most of the damages occurred in areas where there is a partial or no flood protection. Almost \$200 million in damages occurred in the valleys of northern California coastal streams, notably in the Eel and Klamath Rivers, and another \$50 million on the Rogue and Umpqua Rivers in Oregon, where there are no major flood-control projects.

By contrast, in California's Sacramento Valley only a few miles away, the Sacramento River levee and bypass system prevented damage exceeding \$150 million for the fourth time in less than 10 years, and Shasta and Folsom Reservoirs saved about \$85 million more. The State's partially completed Oroville project retained flood waters to a helpful degree.



In Oregon's Willamette Basin, only 7 of an authorized 14 flood-control reservoirs have been completed. These are credited with saving about a half billion dollars of damage, although more than \$100 million nevertheless occurred. The city of Portland was spared devastation by the combined effect of existing reservoir storage in the Willamette and Columbia River Basins and the Corps of Engineers floodwalls. If the flood had broken over or through the walls, major downtown portions of the city in the low-lying areas would have suffered hundreds of millions of dollars' worth of damage. Fortunately, as the subcommittee was informed, the upstream control works on the Willamette, constructed under the flood control plan of the Corps of Engineers, had controlled the flow sufficiently, in combination with the reductions in Columbia River backwater resulting from both corps and Bureau of Reclamation storage in the Columbia River Basin, to prevent major flooding at Portland. Without the reductions achieved by the existing reservoirs, the damages would have increased manifold. The immense volume of logs and debris carried by the Willamette River, as well as the torrential velocities which were experienced in the harbor area at Portland, would have been greatly increased and would have become even more important factors in causing damage. It is probable that all of the Willamette River bridges in the city, except possibly the St. Johns Bridge, would have been destroyed.

In addition, the railroad switching yards and terminals would have suffered extreme damage, as well as highways, harbor, and associated facilities. A large portion of the downtown city area, including major commercial, industrial, and business installations, would have been flooded by overtopping of the walls, and severe health problems would have arisen by the flooding of the Ankeny Street sewerage pumping plant. Electrical generating facilities and heat supplies for about 800 downtown buildings would also have failed, and underground electric supply, communications, and other utilities of the downtown area would have been extensively damaged. Avoidance of this condition prevented the occurrence of serious fire hazards in the city, prevention of contamination of water supplies, interruption of medical and hospital supplies, and isolation of several sections of the city from each other. Existing projects can be credited with having saved Portland from also becoming a disaster area.

Eugene and Salem, Oreg., Vancouver, Wash., and Reno, Nev., are other cities that were spared substantial damage by existing flood-control systems.

#### MAJOR PROVISIONS OF THE BILL

##### INCREASED AUTHORIZATION FOR EMERGENCY FUNDS FOR FEDERAL-AID HIGHWAY SYSTEMS

Section 2 of H.R. 7303, as reported by the committee, would authorize the appropriations from the general fund of the Treasury of not to exceed \$50 million for fiscal year 1965 and not to exceed \$20 million for fiscal year 1966 for obligation and expenditure by the Secretary of Commerce in accordance with section 125 and related provisions of title 23, United States Code, for the repair and reconstruction of highways, roads, and trails, on a nationwide basis, which are damaged as a result of a disaster. These funds are in addition

to the emergency fund authorized by section 125 of title 23, United States Code, for the repair or reconstruction of highways, roads, and trails damaged as the result of a disaster.

In testimony before the committee, witnesses from the Bureau of Public Roads indicated that the Federal share of the cost of repairing the damages to the Federal-aid highway system in four of the five States, California, Idaho, Oregon, and Washington, would be approximately \$25 million, and that in addition the cost to repair the damages to forest highways in these four States would be some \$31 million.

The Bureau of Public Roads has allocated as much emergency relief money as it possibly can, but the existing emergency fund has been so reduced that very little money is now available to continue this work.

In recognition of the urgent need to repair and reconstruct Federal-aid highways, forest highways, forest development roads and trails, park roads and trails, and Indian reservation roads without awaiting the time necessarily involved in securing appropriations therefor, the committee determined it to be in the public interest to authorize the obligation and expenditure of the additional funds, to be provided by this section, in advance of securing an appropriation therefor. Section 2 would authorize the Secretary of Commerce to obligate and expend these additional funds in accordance with section 125, title 23, United States Code, which means that the Secretary may utilize any funds available to him for expenditure in accordance with the provisions of title 23, United States Code, including existing Federal-aid appropriations, for the purposes of carrying out section 2 of this bill, with such funds to be reimbursed at a later time from the appropriations authorized by this section.

#### SHARED COSTS FOR RECONSTRUCTION OF TIMBER PURCHASE ROADS

The forest industry is a major segment of the economy of the Pacific Northwest, with much of the industry being dependent for its raw material supply on lands owned by the Federal Government. In four of the five States which come under the provisions of H.R. 7303, the federally owned forests comprise 44,508,000 acres, or 56 percent of all commercial forest land, and provide 54 percent of the total timber supply of these four States.

Approximately 400,000 people in the region are employed by the industry, and in Oregon alone it provides a payroll of \$470 million for 80,000 people and directly generates approximately 60 percent of the income of that State. Thus, it is imperative that access to both public and private commercial forest lands be restored as quickly as possible in order to avoid further severe economic dislocation in the region.

In western Oregon and northern California, where the Federal Government owns two-thirds of the timber, impaired access to Federal forests has already created significant unemployment. Log inventories are abnormally low for this time of year, and because of impaired access they were not replaced in many areas where winter and early spring logging are normally conducted. A survey made in early March of 142 forest products operations employing 26,285 persons in western Oregon and southwestern Washington revealed 15 mills which would have to close and lay off 1,721 persons if access to Federal forests were not quickly restored so that logging could be resumed.



Northern California mills face similar threats to their continued operations.

Section 3 of the bill would facilitate resumption of logging by authorizing the Secretaries of Agriculture and the Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods.

At the time of these floods, many purchasers of timber from lands under the jurisdiction of the Secretaries of Agriculture and the Interior were in the process of constructing roads under the terms of their timber sale contracts. Some had substantially completed the construction of such roads but the roads had not been accepted. The damage to roads of this type was in many instances severe. In some instances the actual road location was either destroyed or so damaged that the replacement road would have to be constructed on a new location. Thus, the damage resulting from the floods has made it necessary to reconstruct all or portions of many roads for which the timber purchasers were responsible under their timber sale contracts. Also, the flood damage has in some instances resulted in such changed conditions that the estimated cost of completing the construction of roads which had been partially constructed will exceed the original estimated cost.

Section 3(a) supersedes existing timber sale contracts which would impose the entire loss on the purchaser, and provides that the purchaser shall bear 15 percent of the costs of reconstruction and restoration, up to a maximum cost to the purchaser of \$4,500; the Government shall bear 85 percent of the costs, and 100 percent of all amounts above \$30,000 on a single timber purchase contract.

It is the intention of the Committee that the provisions of subsection (a) of section 3, including the provisions for proration, shall apply to the entire cost of restoring or reconstructing those portions of roads which timber purchasers had wholly or partially constructed prior to the floods but which had not yet been accepted. The provisions also apply to that portion of the estimated cost of completing road construction not accomplished prior to the floods which exceeds the road construction costs originally estimated for such portions where the excess was the result of changed conditions brought about by the floods. The estimates of cost in each case would be made by the appropriate Secretary.

In the case of roads that timber purchasers were required to construct under their timber sale contracts on which work had not been started at the time of the floods, the provisions of subsection (a) of section 3 would also apply to that portion of the current estimate of road construction costs which exceeds the original estimate because of changed conditions resulting from the floods. For work not performed prior to the floods, and for which the original cost estimates still prevail, costs shall be assigned under the terms of the original timber contract.

Thus, section 3(a) provides for reimbursement for three kinds of costs:

1. Costs necessary to reproduce in replica work formerly done which was destroyed by the floods.



2. Costs necessary to replace the damaged or destroyed facility in a new location because the old location is no longer usable as a result of the floods.

3. Costs in excess of original estimates for contemplated construction which had not been performed but which costs will be incurred upon construction the needed facility.

The reimbursements authorized in this section are mandatory, not permissive, and are in recognition of the Government's responsibility as a landowner and proprietor. The small deductible of 15 percent is in recognition that the operator should take some of the risks of normal winter maintenance on roads which have not stabilized. But it also recognizes that such natural catastrophes as floods and earthquakes are an inherent risk of landownership and provides that contracts may be adjusted so that the Government assumes a major share of such risk of loss if damage occurs. This principle is equitable to both the Government and the purchasers of its timber.

Section 3(a) further provides that the subsection will not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500; and (2) in the case of any road construction if the increase in costs of such construction as a result of the floods is less than \$500 more than the construction costs as originally determined by either the Secretary of Agriculture or the Secretary of the Interior.

Section 3(b) provides the Secretaries with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement.

#### INCREASED AUTHORIZATION FOR FOREST DEVELOPMENT ROADS AND TRAILS FOR FISCAL YEAR 1966

Section 3(c) would authorize an additional \$38 million for forest development roads and trails for the fiscal year ending June 30, 1966, bringing the total authorization for that year to \$123 million. This section stipulates that the additional \$38 million shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho damaged by the recent floods.

The \$38 million recommended by the committee will finance the remaining unfunded balance of repair work on the approximately 12,000 miles of damaged roads reported by the Forest Service, which is estimated at \$36 million, and will provide \$2 million to enable the Government to reimburse timber purchasers in accordance with the provisions of section 2(a) of H.R. 7303. This authority will be administered by the Forest Service as part of its general construction program for forest development roads and trails.

#### REDUCTION OF MINIMUM TIME REQUIRED FOR ADVERTISING SALE OF NATIONAL FOREST TIMBER

One of the effects of the disastrous storms and floods in the Pacific Northwest last winter has been the complete disruption or serious impairment of access to sources of timber supply from the national forests for the wood-using industries of the region. The economies of these regions depend largely or entirely upon the timber industry,

which, in turn, is dependent upon national forests as a source of supply. Time is of the essence in rebuilding these economies, otherwise communities dependent on the timber industry will face the imminent prospect of mills shut down and severe unemployment.

To help avert this condition, section 3(d) would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

#### COMPLIANCE WITH REQUIREMENTS OF LAW REGARDING ENTRY OF PUBLIC LANDS

Under section 4 of the bill authority is granted to the Secretary of the Interior to suspend the time limits embodied in these laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters. The reason for granting this authority to the Secretary of the Interior is because the havoc created by the floods and high waters has brought about a situation where persons seeking to perfect their rights in entries under the various public land laws have been disadvantaged.

#### SURVEY AND PERFORMANCE OF PROTECTIVE WORK TO PREVENT RECURRENCE OF DAMAGE TO THE BANKS OF THE EEL RIVER, CALIF., AND REIMBURSEMENT FOR WORK PERFORMED

Section 5 of H.R. 7303, as reported by the committee, would authorize the President, acting through the Office of Emergency Planning, which office is already carrying out other relief work under existing law, to provide bank protection along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad would be particularly vulnerable to washouts and other damage from the swift waters of the river in the event of future floods. Such bank protection will be provided only if, and to the extent, it is determined to be in the public interest and, therefore, a proper Federal responsibility in this particular instance and under the circumstances here involved. The survey and supervision of work will be performed by the Corps of Engineers of the U.S. Army, which has responsibility for recommending and constructing flood protection works along streams generally.

The Federal Government will bear no part of the cost of restoring the railroad, for that is the primary responsibility of the carrier.

The Eel River drains an area of 3,630 square miles in the rugged mountainous region of Humboldt, Mendocino, Trinity, Glenn, and Lake Counties, Calif. The river flows in a northwesterly direction and empties into the Pacific Ocean through the Eel River Delta area, about 15 miles south of Eureka, Calif. The Eel River Basin is primarily dependent on timber and agriculture resources, and contains the world's major stands of redwood trees, a large inventory of Douglas fir, and other merchantable timber species. The December 1964 and January 1965 flood was one of the worst in the Eel River history, and caused widespread damage, estimated in the amount of about \$60 million. Nearly every town on the Eel River suffered some damage, and the town of Pepperwood was completely destroyed. Twenty-six human lives were lost, as well as some 4,500 head of livestock.



Among the transportation facilities damaged, the reconstruction of which is essential to the economy of the area, is the Northwestern Pacific Railroad. This line extends from San Rafael, Calif., to Eureka, a distance of about 285 miles. For approximately 100 miles, the railroad follows the precipitous canyon of the Eel River between Longvale, 30 miles north of Willits, and the river's outlet to the Pacific Ocean, south of Eureka. This 100-mile section was virtually wiped out by the flooding of the Eel River.

In some areas, rails and ties were washed away, and in other areas the complete roadbed was obliterated. Huge redwood logs carried by the rampaging floodwaters knocked out three large steel bridges, which were major rail crossings of the Eel River. In many areas great piles of logs were scattered like matchsticks over the railroad right-of-way, and mountains of debris and silt completely covered the railroad tracks or areas where tracks once existed. The cost of restoring this 100-mile section of railroad has been estimated by the management of the Northwestern Pacific Railroad Co. to be in excess of \$10 million.

Railway management has acted with dispatch and with high regard for its responsibility to assist in restoring the economy of the region, by taking emergency action to reconstruct this rail line and resume train operation thereover at the earliest possible date. The railroad company is undertaking this work with its own forces and by contract. At the time of the hearings, some 826 men were engaged in railroad restoration work, working 6 and 7 days a week, and 10 or more hours a day. The railroad company hopes to restore the line to operation prior to July 1, 1965.

Restoration of this line is of primary importance to a large area of northwestern California. Approximately 82 percent of the forest products produced in the Eel River basin are shipped to market over this railroad, and the forest products industry makes up approximately 70 percent of the economy of the area. Many mills suffered substantial damages from the flooding and high waters, and lost all or parts of their cold decks of logs and stacks of finished lumber. Unless the mills of this stricken area can soon obtain rail transport, they will either be unable to resume operation or be forced to restrict operations to a trickle for local trade only. This threatens more than 15,000 direct jobs in the forest products industry, representing a weekly payroll in the area exceeding \$2 million.

Not only is it necessary that the railroad be restored as soon as possible, but it is essential that the reconstructed line be afforded reasonable protection from being washed out again by the meandering Eel River during future floods.

Section 5 of H.R. 7303, as reported by the committee, would authorize the President, acting through the Office of Emergency Planning, to make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to the banks of the Eel River, which are adjacent to the trackage of any common carrier railroad, and to report to the Congress the results of such survey, together with the cost of any recommended work, within 60 days after the date of enactment of this act. The President, acting through the Office of Emergency Planning, would be further authorized to perform all or any part of the recommended work determined by him to be in the public interest, and to reimburse the railroad company for any of the recommended work already performed by such company.



The provision for reimbursement of the railroad company has been included in the bill for, in some instances, it is either necessary or desirable that the riprap and other protective work be performed in connection with and at the same time the railroad roadbed is reconstructed along the riverbanks.

No appropriation, however, shall be made for any recommended work determined by the President, acting through the Office of Emergency Planning, to be in the public interest, unless such work has been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively, after considering the survey report. Section 5 further provides that the Corps of Engineers of the U.S. Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President, acting through the Office of Emergency Planning, to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

There is authorized to be appropriated not to exceed \$3,875,000 to make the survey and to perform the recommended work, or to reimburse the railroad for any of such recommended work performed by it. This appropriation authorization is based upon preliminary estimated costs of \$250,000 to make the survey and \$3,625,000 to provide the necessary protective works.

The Corps of Engineers is presently making a survey for a multipurpose flood control project on the Eel River. This project, if subsequently authorized by the Congress and constructed, would protect all of the downstream area in the narrow Eel River Valley, and would protect from future floods much of the area damaged by the December 1964 flood. The protective work authorized to be performed by this bill is within the area over which the Federal Government is presently exercising flood control jurisdiction to the extent of making the survey, preliminary to the authorization of a construction project. Such interim protection is essential for the continued operation of the railroad on its present location, the operation of which railroad is vital to the economy of the area that it serves.

#### MATURITY DATE OF LOANS MADE UNDER THE SMALL BUSINESS ACT

In many cases a person whose home has been destroyed or extensively damaged is placed in serious financial straits. Although his resources may be very limited, he must find some means of financing replacements or repairs and, at the same time, continue meeting his existing mortgage obligations. Thus the Small Business Administration is often compelled to refuse a loan because the applicant cannot demonstrate ability to repay on a 20-year amortization basis.

Section 6 would amend the Small Business Act to allow for the maturity of such loans up to 30 years.

#### TERMINATION

Section 7 stipulates that except for section 5 and the amendment made by section 3(c) this act shall not be in effect after June 30, 1966, except for payment of expenditures for obligations and commitments entered into prior to June 30, 1966.

## TITLE

Section 8 entitles the act as the "Pacific Northwest Disaster Relief Act of 1965."

## COMMITTEE RECOMMENDATIONS

Based on both personal observation as a result of the inspection trip taken by the special subcommittee to investigate conditions in the Pacific Northwest and on testimony received in hearings at Washington the committee recommends the enactment of this legislation. Every effort has been made under existing law and in a most commendable fashion by the Office of Emergency Planning, assisted by the Corps of Engineers, the Departments of Agriculture, Interior, and Commerce, and the Small Business Administration to bring about the quickest relief to the Pacific Northwest disaster area. However, the committee believes to fully restore the area to its full-scale vitality both for economic purposes and for normal living conditions that this additional legislation is needed. It, therefore, recommends the enactment of H.R. 7303.

## COMMENTS OF FEDERAL AGENCIES

The following comments were received by the committee on H.R. 7303 from the Housing and Home Finance Agency, Department of Commerce, Department of Agriculture, Small Business Administration, Office of Emergency Planning, Bureau of the Budget, Department of the Army, and from the Department of the Interior on H.R. 798, which was superseded by H.R. 7303.

HOUSING AND HOME FINANCE AGENCY,  
OFFICE OF THE ADMINISTRATOR,  
*Washington, D.C., May 3, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives, Washington, D.C.*

Subject: H.R. 7303, 89th Congress (Representative Johnson of California).

DEAR MR. CHAIRMAN: This is in further reply to your request for our views on H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The Housing Agency is primarily interested in section 6 of the bill which would authorize the Housing Administrator to compromise or release such portion of any obligations which he holds in the States of California, Oregon, Washington, Nevada, and Idaho under the public facility loans program or under the revolving funds for liquidating programs, to the extent he finds that such relief is necessary because the facilities securing these obligations have been substantially damaged by the floods and high water in these States during December 1964 and January and February 1965. Under existing law, the Administrator has no authority to provide any relief in situations such as this, beyond the rescheduling of required loan payments.

We have been informed by our San Francisco regional office that no facilities securing obligations referred to in section 6 of the bill appear to have been damaged by the floods and high waters of December



1964 and January and February 1965. Accordingly, the provision would provide no benefit to localities in the affected States.

This provision is identical (except for the date and cause of damage) to section 52 of the Alaska Omnibus Act, added by the 1964 amendments to the Alaska Omnibus Act in order to provide special assistance to the State of Alaska for the reconstruction of areas damaged by the March 27, 1964, earthquake. The 1964 amendments contained numerous other special provisions (several of which are included in these bills) determined by the Congress to be necessary because the March 1964 earthquake and tidal wave severely affected a portion of the State which was inhabited by half its population and from which came half or more than half of its governmental revenues. These factors in effect crippled the State's ability to carry out its normal functions, to supply matching funds for essential Federal grant-in-aid programs, and to finance other programs.

The Housing Agency is not in a position to determine whether the floods and high waters in California, Oregon, Washington, Nevada, and Idaho during December 1964 and January and February 1965 have resulted in damage which requires Federal assistance in addition to that presently authorized under the Disaster Relief Act (Public Law 81-875). Accordingly, we would defer to the Office of Emergency Planning and other affected Federal agencies as to whether assistance in addition to that authorized under the Disaster Relief Act should be provided in this situation.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ROBERT C. WEAVER, *Administrator.*

---

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., April 30, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of the Department of Commerce concerning H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

Sections 120 and 125 of title 23, United States Code, presently govern the repair and reconstruction of highways, roads, and trails which have suffered serious damage as a result of disaster over a wide area. The damage to highways as a result of the December 1964 and January and February 1965 floods in California, Oregon, Washington, Nevada, and Idaho qualifies for Federal assistance under these provisions, but the \$30 million annual authorization for such relief is not sufficient to cover the emergency needs of fiscal year 1965 because of their unusual magnitude. To remedy this, the Department on March 22, 1965, recommended enactment of draft legislation to amend section 125 of title 23, United States Code, to provide a temporary increase in the amount authorized for the current fiscal



year from \$30 to \$80 million and for a permanent increase in succeeding fiscal years to \$50 million. The Department's proposal has now been introduced as H.R. 6790.

The Federal share of the cost of repairs to all Federal aid systems, as specified by subsection 120(f), is normally 50 percent. Public Law 88-658 amended this amount to provide that the basic 50 percent be increased by a percentage equal to the percentage which the area of certain nontaxable Indian and public domain lands is to the total land area of the State. This applies to only those States in which such nontaxable lands exceed 5 percent of their total area. Presently 13 States qualify for such additional Federal cost sharing, the total percent for each varying, with Alaska having the highest—95.02 percent. Thus, the presently authorized matching Federal share for the States involved in this bill is: California, 59.78; Oregon, 63.45; Washington, 53.51; Nevada, 89.51; and Idaho, 62.51 percent of the cost of emergency repairs to the ABC and Interstate System highways located in those States.

Subsections 120(f) and 125(c), as amended, provide that the Federal share may amount to 100 percent of the cost of emergency repairs to forest highways, a program which is administered by this Department and that the cost of these repairs may be financed from the highway trust fund.

Existing law also authorizes the repair at Federal expense of forest development roads and trails, administered by the Department of Agriculture, and park roads and trails and Indian reservation roads, administered by the Department of the Interior. Such repairs can be financed under the authority of subsection 125(c), or out of regular roads program appropriations available to the Departments of Agriculture and Interior.

The proposed increase in the Bureau of Public Roads emergency fund, as mentioned above, is intended to provide for repair and reconstruction of regular Federal aid and forest highways in the five States with which this bill is concerned.

The Departments of Agriculture and Interior are already at work with existing funds on the reconstruction of the roads under their jurisdiction, and we understand that they will seek additional authorizations or funds under their regular programs for these roads as the work progresses. Because the original construction of the roads under the jurisdiction of Agriculture and Interior was financed out of the general fund, and in view of the magnitude of the damages in this case and the financial condition of the highway trust fund, it seems appropriate that the costs of reconstruction for Agriculture's and Interior's roads be charged to the general fund rather than the highway trust fund.

We would like to confine our comments to section 2 and subsections 3 (a) and (b) of this bill which deal with highway and road matters, and section 4 which deals with railroad matters.

Subsection 2(a) of this bill would authorize a special exception to subsection 120(f) of title 23 by increasing the Federal share payable for the repair and reconstruction of Federal aid highways which were damaged in the recent floods in the five States covered by the bill to 100 percent. This would be a very significant increase in the Federal share. It would discriminate against other States in similar situations and would establish an undesirable precedent. We believe the sharing arrangement established by Public Law 88-658, referred to earlier,

is an equitable one and should be continued. Accordingly, we recommend against enactment of subsection 2(a).

Subsection 2(b) of H.R. 7303 would authorize an additional \$80 million for the Bureau of Public Roads emergency fund for the purpose of carrying out section 2. As noted earlier we have submitted legislation to Congress to increase the emergency fund in 1965 and subsequent years, and Agriculture and Interior are seeking funds for the reconstruction of roads under their jurisdictions. We believe these actions will fully meet the financing needs to which subsection 2(b) is addressed and accordingly we recommend against its enactment.

Subsection 3(a) of the bill would authorize the Secretaries of Agriculture and Interior to undertake emergency reconstruction of flood-damaged roads and trails in the process of construction by purchasers of national forest timber. We defer to the views of these Departments on this provision, but believe that financing of this work should be out of general fund appropriations rather than the highway trust fund.

Subsection 3(b) of the bill would amend paragraph (3) of section 2 of the Federal Aid Highway Act of 1964, Public Law 88-423, 78 Stat. 397, by authorizing an additional \$40 million to be appropriated for the fiscal year ending June 30, 1966, which shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the five States with which this bill is concerned. We would defer to the views of the Department of Agriculture on this provision.

Section 4 of H.R. 7303 pertains to common carriers by railroad serving the five Northwest States whose facilities are necessary in the transportation of freight. If their trackage was damaged or destroyed by the December 1964 and January and February 1965 floods, the President would be authorized to reimburse the carriers for removal of debris and wreckage, and for streambank stabilization and repair work. This includes the cost of revetment, riprap, protective, and other work, on public or private lands, designed to repair and prevent the recurrence of damage by floods or high waters to the banks of waterways adjacent to the trackage of such carriers. Appropriations totaling \$5 million are authorized by H.R. 7303 for this purpose.

We do not believe that any single type of carrier should be the recipient of special treatment in the form of Federal grants of money and property for disaster relief. We believe that as a general rule carriers should provide for this type of loss as for other business risks. In any event we do not believe that special disaster relief assistance should be extended to any one form of business. Accordingly, the Department recommends against the enactment of section 4.

In summary, the Department of Commerce recommends against enactment of sections 2(a), 2(b), and 4 of H.R. 7303 and defers to the views of the Departments of Agriculture and Interior on section 3(a) and to the Department of Agriculture on section 3(b) of H.R. 7303.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of our report from the standpoint of the administration's program.

Sincerely,

ROBERT E. GILES.



DEPARTMENT OF AGRICULTURE,  
*Washington, D.C., April 27, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives.*

DEAR MR. CHAIRMAN: This is in reply to your request of April 15, 1965, for a report on H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

H.R. 7303 contains a number of provisions having purposes similar to those of other bills on which this Department submitted a report to your committee on April 7, 1965. Comments in that report on common provisions are applicable to H.R. 7303. This report, therefore, relates to the provisions affecting this Department which are new or different from those covered by our report on other bills.

Subsection 3(a) of H.R. 7303 is similar to subsection 2(b) of the bills covered by our report of April 7. In that report we recommended that this subsection be revised to differentiate between major losses on which some sharing of restoration should be borne by the Government, and minor losses which timber purchasers over many years have traditionally borne. We continue in that recommendation and suggest that subsection 3(a) of H.R. 7303 be revised to read as recommended in the April 7 report.

Section 3(b) of H.R. 7303 is not contained in the earlier bills. It would amend the Federal-Aid Highway Act of 1964 by increasing by \$40 million appropriation authorization under that act for construction and maintenance of forest development roads and trails in fiscal year 1966. This increase would be used solely for construction, repair, and reconstruction of forest development roads and trails made necessary by the recent floods.

As we pointed out in our April 7 report, we propose to use authority now available to the Secretary of Agriculture for the protection and maintenance of the national forests to accomplish the required restoration work. Additional authority is not necessary. We therefore recommend that section 3(b) of H.R. 7303 be deleted.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

ORVILLE L. FREEMAN.

---

SMALL BUSINESS ADMINISTRATION,  
*Washington, D.C., April 7, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in further response to your letter of January 29, 1965, requesting our comments on H.R. 798 and other bills (H.R. 823, H.R. 2049, H.R. 2115, and H.R. 3379) to provide assistance to the States of California, Oregon, Washington, and Idaho for the reconstruction of areas damaged by recent floods and high waters. Since the bills are all substantially identical, the comments



made herein with reference to H.R. 798 are, of course, applicable to the others.

H.R. 798 calls for various forms of Federal assistance to persons suffering property loss or damage resulting from the floods and high waters of December 1964 and January 1965 in Oregon, Washington, California, and Idaho. Section 5 of the measure would increase from 20 years to 30 years the maximum term governing disaster loans, made pursuant to section 7(b)(1) of the Small Business Act, to persons whose dwellings were destroyed or damaged by such floods or high waters. This amendment follows the pattern of that enacted last year (Public Law 88-451) for the benefit of persons in Alaska whose homes were destroyed or damaged in the recent earthquake.

The severe financial hardship created by the recent floods on the west coast, as well as that caused by last year's earthquake in Alaska, point up in a special way the inadequacy of the existing maximum on the maturity of disaster loans to homeowners. But this maximum is inadequate for another reason of much broader applicability.

In many cases a person whose home has been destroyed or extensively damaged is reduced to serious financial straits. Although his resources may be very limited, he must find some means of financing replacement or repair and, at the same time, continue meeting his existing mortgage obligations. Thus SBA is often compelled to refuse a loan because the applicant cannot demonstrate ability to repay on a 20-year amortization basis.

In order to meet the needs of such people, and of others for whom the existing maximum would create severe hardship, we favor an amendment to the Small Business Act permitting maturities of up to 30 years on loans made pursuant to section 7(b)(1) thereof. We would draw upon this authority in appropriate cases to permit repayments in smaller installments, over a longer period of time, than is allowable under existing law.

SBA is planning to submit a proposal of this nature to the Congress and it is my hope that it will be enacted at the current session. Such legislation would, of course, obviate the need of section 5 of H.R. 798 and is much preferable to the piecemeal approach represented by the latter.

The Bureau of the Budget has advised that there is no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

EUGENE P. FOLEY, *Administrator.*

---

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF EMERGENCY PLANNING,  
*Washington, D.C., April 28, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives,  
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for our views on H.R. 7303, 89th Congress, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The subject legislation, if enacted, would be special recognition by Congress that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, that much of the affected area is federally owned and administered, and that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities.

Most of the provisions of this bill are similar to proposals contained in bills, H.R. 798, H.R. 823, H.R. 2049, H.R. 2115, and H.R. 3379, upon which the Office of Emergency Planning has already commented to your committee by letter dated April 7, 1965. We have also commented on another similar bill, H.R. 5478, on April 13, 1965. Our comments therein on these similar proposals apply with equal force to the subject bill.

In addition, section 4(a) of H.R. 7303 would authorize the President to reimburse railroads whose trackage was damaged or destroyed as a result of the floods and high waters of December 1964, and January and February 1965, for removal of debris and wreckage, and for streambank stabilization and repair work, including the cost of revetment, riprap, protective, and other work, on public or private lands. Section 4(b) would authorize the appropriation of \$5 million to carry out this section.

In our comments on H.R. 5478 we stated that we opposed a proposed amendment to the Federal Disaster Act (Public Law 81-875) which would authorize direct assistance, including funds, to railroads. The instant proposal would appear to accomplish the same objective, although by different means. We feel that the objections to the H.R. 5478 proposal apply equally to section 4 of the subject bill. Business concerns would normally be expected to make appropriate provisions for the occurrence of damage or destruction to their facilities. Also, the proposal would favor railroads while excluding other privately owned utilities, with no apparent basis for such favoritism. Moreover, we feel that disaster assistance, if desirable, should be made on a general basis applicable to all States, rather than on a disaster-by-disaster basis. Congress should seek permanent solutions and not ad hoc responses to individual situations. OEP is therefore opposed to this proposed amendment.

From the standpoint of the administration's program, the Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely,

BUFORD ELLINGTON, *Director*.

---

EXECUTIVE OFFICE OF THE PRESIDENT,  
BUREAU OF THE BUDGET,  
Washington, D.C., April 28, 1965.

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This will reply to your request for our views on H.R. 7303, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.



A number of the provisions of this bill are the same or similar to those in H.R. 798 and related bills which were the subject of earlier agency and Bureau reports to your committee. In general, our previous comments apply to these provisions. For your convenience, however, we are highlighting those comments below as well as commenting on new provisions in the bill.

*Section 2.*—For reasons given in the Commerce report on H.R. 798 and related bills, we recommend against enactment of section 2(a). We conclude that the sharing arrangement established by Public Law 88-658 is an equitable one and should be continued. With respect to section 2(b), we recommend the legislative proposal (H.R. 6790) which Commerce transmitted to Congress on March 22, 1965, in lieu of this provision in H.R. 7303. H.R. 6790 would provide for an increase in the Bureau of Public Roads' emergency fund from \$30 to \$80 million for the current fiscal year and for a permanent increase in succeeding fiscal years to \$50 million.

*Section 3(a).*—We continue to support the substitute language which was recommended by the Departments of Agriculture and Interior with respect to timber purchaser roads in their reports on H.R. 798 and related bills. We believe the formula proposed is an equitable and appropriate measure of relief.

*Section 3(b).*—As Agriculture points out in its report on H.R. 7303, that Department proposes to use authority now available to it for the protection and maintenance of national forests to accomplish the required restoration work to forest development roads and trails, and accordingly recommends against enactment of this subsection. We concur in this recommendation.

*Section 3(c).*—We recommend enactment of this subsection.

*Section 4.*—This section appears to be similar in purpose to section 7 of H.R. 5478, on which we earlier commented unfavorably along with the Office of Emergency Planning and the Department of Commerce, although a different form of relief is proposed. The same basic objections made to the provision in H.R. 5478 would apply here too, and accordingly we recommend against enactment of this section.

*Sections 5, 6, and 7.*—As we indicated among other things in our comments on these provisions in H.R. 798 and related bills, we believe that disaster relief measures should be applicable to all sections of the country and should be handled as amendments to basic statutes. The Small Business Administration has proposed general legislation to the Congress to permit maturities on home disaster loans up to 30 years. The Department of Agriculture has under consideration general legislation relating to refinancing by the Farmers Home Administration in cases of natural disaster. In reporting earlier on provisions identical to sections 5(a) (the compromise provision), 5(b), and 6 of H.R. 7303, the Department of Agriculture and Housing and Home Finance Agency stated that they found no need for these authorities in the Pacific Northwest disaster situation.

We note that on April 23, the Senate passed S. 327, which, like H.R. 7303, is concerned with relief measures in the Pacific Northwest floods. While we do not wish to comment on all of the provisions of S. 327, we would like to call your committee's attention to two sections of that bill which we must view with great concern. These are the provisions of sections 3(b) and 8.

Section 125 of title 23 of the United States Code now authorizes the Secretary of Commerce to expend funds from the emergency



relief fund on the repair or reconstruction of damaged Federal-aid highways if an application therefor has been received by the Secretary from the State highway department and if an emergency has been declared by the Governor of the State and concurred in by the Secretary. Section 3(b) of S. 327 would add another requirement before relief funds could be spent by the Secretary, namely, "unless the Secretary has reported the proposed expenditure to the Public Works Committees of the Senate and House of Representatives and has not received disapproval of the proposed expenditure from either committee within thirty days following submission of his report."

Section 8 of S. 327 would authorize and direct the Secretary of the Army to make a survey to determine what protective works would be necessary to prevent recurrence of damage by floods or high waters to those banks of the Eel River, Calif., which are adjacent to the trackage of any common carrier by railroad and report to Congress the results of the survey and any recommended work within 120 days. The Secretary would be authorized to perform such of the recommended work as may be approved prior to June 30, 1966, by resolution adopted by the House and Senate Public Works Committees, and to reimburse any common carrier for any of the recommended work approved by such resolution which is undertaken before the date of that resolution.

These delegations to the committees of the powers of approval or disapproval appear to us to raise substantial constitutional questions of the same sort commented on by several Attorneys General. The President has in the past commented adversely on other provisions of this nature, which would permit committees of the Congress to take actions having the effect of law without an opportunity for the President to exercise his veto or to assign to committees powers which only properly reside in the Congress as a whole. We strongly recommend that such provisions not be included in this legislation. As an alternative, we would see no objection to a requirement that the executive agencies notify the committees of the proposed expenditures or the results of a survey for appropriate legislative oversight.

Sincerely yours,

PHILLIP S. HUGHES,  
*Assistant Director for Legislative Reference.*

---

DEPARTMENT OF THE ARMY,  
*Washington, D.C., April 28, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for the views of the Department of the Army with respect to H.R. 7303, 89th Congress, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

This bill would establish special measures to assist the States of California, Oregon, Washington, Nevada, and Idaho, in their efforts to provide for the reconstruction of areas damaged by floods and high waters during December 1964, and January 1965. The bill would—

(a) Provide that the United States shall bear 100 percent of the cost of repair or reconstruction of Federal-aid highways which were damaged or destroyed by the floods and high waters; provide for restoration or reconstruction at Federal expense, to such extent as deemed appropriate by the Secretaries of Agriculture and Interior, of any roads and trails on lands administered by the Secretaries which were in the process of construction or required to be maintained by purchasers of national forest timber and were destroyed or severely damaged by such causes; and provide for construction, repair, or reconstruction of forest development roads and trails necessary because of the floods and high waters.

(b) Authorize the Secretary of Agriculture to reduce to 7 days the minimum period of advance public notice of the sale of national forest timber whenever he determines the sale of such timber would assist in the reconstruction of any area of such States damaged by the floods and high waters.

(c) Authorizes the President to reimburse common carriers by railroad, whose trackage was damaged or destroyed as a result of the floods and high waters and whose facilities are necessary in the transportation of freight, for removal of debris and wreckage and for streambank stabilization and repair work designed to repair and prevent the recurrence of damage by floods or high waters to the banks of waterways adjacent to the trackage of such carriers.

(d) Authorize the Secretary of Agriculture to compromise or release such portion of a borrowers indebtedness under programs administered by the Farmers Home Administration and the Rural Electrification Administration in such States as he finds necessary because of loss, destruction, or damage of property resulting from the floods and high waters; and authorize the Housing and Home Finance Administrator to do the same with respect to any note or other obligation held by him pursuant to title II of the Housing Amendments of 1955, or within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955. The Secretary of Agriculture would also be authorized to refinance outstanding indebtedness of applicants in such States for loans under section 502 of the Housing Act of 1949 for the repair, reconstruction or replacement of dwellings or farm buildings lost, destroyed, or damaged by such causes and securing such indebtedness.

(e) Provide that loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings damaged or destroyed by such causes may have a maturity of up to 30 years, instead of 25 years as provided in said section 7(b).

The Department of the Army defers to the views of other Federal agencies having primary interest in the proposed legislation.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

STEPHEN AILES,  
*Secretary of the Army.*



U.S. DEPARTMENT OF THE INTERIOR,  
OFFICE OF THE SECRETARY,  
*Washington, D.C., April 7, 1965.*

HON. GEORGE H. FALLON,  
*Chairman, Committee on Public Works,  
House of Representatives, Washington, D.C.*

DEAR MR. FALLON: This responds to your committee's request for our reports on H.R. 798, a bill to provide assistance to the States of California, Oregon, Washington, and Idaho, for the reconstruction of areas damaged by recent floods and high waters, and similar bills, H.R. 823, H.R. 2049, H.R. 2115, and H.R. 3379. H.R. 5407 is identical to H.R. 798.

We recommend that the portions of one of these bills which relate to this Department, except as set forth below, be enacted with our proposed amendments.

Each of the bills provides that the Federal Government will pay from the emergency fund under the Federal Aid Highway Act 100 percent for the repair or reconstruction of highways of the Federal aid highway system to the States mentioned, which highways were damaged or destroyed by floods and high waters, in lieu of the percentages now payable to the States for such repair or reconstruction under existing law; i.e., California 59.78 percent, Idaho 62.91 percent, Washington 53.51 percent, and Oregon 63.45 percent.

Each of the bills, except H.R. 823, authorizes the Secretary of Agriculture, from funds and authorizations available to him for the construction and maintenance of forest development roads and trails, to restore or reconstruct to the extent he deems appropriate, either directly or in cooperation with timber purchasers, any roads and trails which were in the process of construction by purchasers of national forest timber and which roads or trails were destroyed or severely damaged by the floods.

Each of the bills contains an authorization for appropriations to carry out the foregoing purposes in addition to the amount authorized by the emergency relief section of the Federal Aid Highway Act, the sum of \$200 million for the period ending July 1, 1966.

H.R. 2049, despite section 6 of that bill terminating its operation on June 30, 1966, amends as permanent legislation subsection 120(f) of title 23, United States Code, to provide that the Federal share payable on account of any repair or reconstruction in the case of the Interstate System shall be that which was applicable to the segment requiring repair or restoration.

H.R. 2049, H.R. 2115, and H.R. 3379 amend subsection 120(f) of title 23, United States Code, and subsection 125(c) of title 23, United States Code, by making the emergency relief provisions of section 125 and the 100-percent Federal share provisions of subsection 120(f) applicable to highways, roads, and trails on public lands, and to roads and trails on wildlife refuge system lands. This provision is apparently intended as permanent legislation, despite the time limitation of June 30, 1966, embodied in those bills.

The bills authorize the Secretary of Agriculture to compromise or release through the Farmers Home Administration and the Rural Electrification Administration the indebtedness of their borrowers to enable them to overcome losses suffered as a result of the floods and high waters. The Secretary of Agriculture, through the Farmers



Home Administration, is further authorized to refinance loans for the repair, reconstruction, or replacement of dwellings or farm buildings affected by the floods and high waters. Each of the bills authorizes the Small Business Administration to make loans with a maximum maturity of 30 years for the purpose of replacing, reconstructing, or repairing dwellings in the States affected. Each of the bills provides that it shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under the bill before such date.

The bills embody some of the same provisions as the Alaska earthquake relief legislation, Public Law 88-451, 78 Stat. 505 (1964).

As indicated above, all the bills provide 100 percent Federal funding of repairs or reconstruction of Federal aid highways damaged or destroyed by the floods and high waters. When the State of Alaska was faced with the need for similar restorative action as a result of the earthquake of March 27, 1964, Congress provided in the act of August 19, 1964 (Public Law 88-451, 78 Stat. 505, sec. 3), that Federal assistance should be on the same matching basis which would be applicable to new construction. For the State of Alaska the Federal assistance was 94 percent. Subsection (f) of section 120, title 23, United States Code, was amended by the act of October 13, 1964 (Public Law 88-658, 78 Stat. 1090) as permanent legislation. Under that law the four States concerned, and all other States, now enjoy the same payment formula afforded Alaska with respect to repairs or reconstruction on the Federal aid highway system. As indicated earlier, the Federal share for the four States ranges from 53.51 to 63.45 percent.

Each of the bills, except H.R. 823, authorizes the Secretary of Agriculture to repair or restore roads built by timber purchasers. They contain no similar authority for this Department. We have a large timber sale program particularly on the revested Oregon & California Railroad and the reconveyed Coos Bay Wagon Road grant lands. We need similar authority and are suggesting an appropriate amendment. Our proposed amendment authorizes the Secretary of the Interior and the Secretary of Agriculture separately to expend funds to restore or reconstruct highways, roads, or trails, built by a timber purchaser, where damaged by the floods and high waters. The amendment also permits the Secretary to reimburse any timber purchaser who effectuated such repair or reconstruction prior to the effective date of enactment of the legislation. We think it would be inequitable to deprive a timber purchaser of the benefits of the legislation on the basis of his diligence in acting to restore promptly the damage caused to such roads. The precise extent to which relief could be granted is spelled out in our amendment. It provides that a timber purchaser shall bear the estimated cost of the uncompleted work on the portion of the road damaged, and an amount equal to 15 percent of the estimated cost incurred prior to the floods by the timber purchaser on the damaged or destroyed portion of the road. The Secretary would bear the next \$1,000 of the estimated cost of reconstruction, restoration, and completion, and 50 percent of the remaining costs thereof. Where the costs of reconstruction, restoration, and completion are less than \$500, the section would not apply.

Fifteen percent represents approximately the risk and profit allowance envisaged by the road provisions of the timber appraisal. It also takes account of normal winter damage. The \$1,000 is designed to

afford a larger measure of relief to the small timber operator who presumably is less able to withstand catastrophic loss. The rationale for the 50-percent division is that neither the Government nor the timber purchasers envisaged the catastrophe. It seems equitable, therefore, that each party should bear 50 percent of the loss sustained. The exclusion of claims under \$500 is based upon the position that such damage is relatively minor.

It is the position of the administration that relief legislation along the lines of these bills is not an appropriate vehicle for amendments to the emergency fund provisions of the Federal Aid Highway Act relating to the operations of this Department. We are therefore recommending the deletion from H.R. 2049, H.R. 2115, and H.R. 3379 of language extending the emergency fund provisions to highways, roads, and trails on public lands, and to roads and trails on wildlife refuge system lands.

Because of the havoc wrought by the floods and high waters, persons seeking to perfect their rights in entries under the public land laws may have been disadvantaged. This Department should be in a position to suspend the time limits embodied in those laws for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by the floods and high waters. We are suggesting an appropriate amendment below.

We understand that some damage was caused by floods and high waters in the four States during February 1965. We therefore believe that the bills should be amended by deleting the words "December 1964 and January 1965" wherever they appear in the bills and substituting therefor "December 1964, January and February 1965."

To effectuate our recommendations, we suggest the following amendments to all the bills except as otherwise noted:

1. In H.R. 2049 only, on page 3, lines 1 through 8, delete the following:

" , and is further amended by inserting after the words, 'park roads and trails,' the following: 'highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,': *Provided further*, That subsection 125(c) of title 23 United States Code is amended by inserting after the words, 'park roads and trails,' the following: 'highways, roads and trails on public lands, roads and trails on wildlife refuge system lands,.'"

2. In H.R. 2115 and H.R. 3379 delete section 2(d).

3. In all the bills, except H.R. 823, delete section 2(b) and redesignate subsection "c" as "b", delete therefrom "July 1, 1966" and substitute therefor "June 30, 1966", which marks the end of the fiscal year.

4. Add a new section to all the bills reading as follows:

"SEC. 7. Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, may, with funds and authorizations available to him for the construction and maintenance of highways, roads, and trails, provide for the restoration, reconstruction, and completion of highways, roads, or trails, and for reimbursement of timber sale contractors for such work performed prior to the effective date of this Act, administered by the Secretary in Oregon, Washington, California, and Idaho, if the highways, roads or trails were constructed but not accepted by the Government, or were in the process of construction under the terms of a timber



sale contract, and if the highways, roads, or trails were damaged or destroyed by the floods of December 1964, January and February 1965. The estimated cost of restoration, reconstruction, and completion of the damaged or destroyed portion, as determined by the Secretary, shall be borne as follows: the timber purchaser shall bear (a) the estimated cost of the uncompleted work, as determined by the Secretary, on the portion of the highway, road, or trail damaged or destroyed, and (b) an amount equal to the first 15 percent of the estimated cost incurred on the damaged or destroyed portion of the highway, road, or trail prior to the floods. The Secretary shall bear the next \$1,000 of the estimated cost of restoration, reconstruction, and completion, and the Secretary shall bear 50 percent of the remaining estimated costs. This section shall not apply where the estimated cost of restoration, reconstruction, or completion is less than \$500."

5. Add a new section to all the bills reading as follows:

"SEC. 8. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in Oregon, Washington, California, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, January and February 1965."

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

KENNETH HOLUM,  
*Assistant Secretary of the Interior.*

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### SECTION 2 OF THE FEDERAL-AID HIGHWAY ACT OF 1964

SEC. 2. For the purpose of carrying out the provisions of title 23 of the United States Code the following sums are hereby authorized to be appropriated:

\* \* \* \* \*

[(3) For forest development roads and trails, \$85,000,000 for the fiscal year ending June 30, 1966, and \$85,000,000 for the fiscal year ending June 30, 1967.]

(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967.





Union Calendar No. 150

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 7303

[Report No. 310]

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 1965

Mr. JOHNSON of California introduced the following bill; which was referred to the Committee on Public Works

MAY 6, 1965

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

---

## A BILL

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes ~~(1)~~ that the States of  
4       California, Oregon, Washington, Nevada, and Idaho have  
5       experienced extensive property loss and damage as the  
6       result of floods and high waters during December 1964,  
7       and January and February 1965, ~~(2)~~ that much of the  
8       affected area is federally owned and administered, and ~~(3)~~

1 that the livelihood of the people in the area is dependent on  
2 prompt restoration of transportation facilities, and therefore  
3 Congress declares the need for special measures designed  
4 to aid and accelerate those States in their efforts to provide  
5 for the reconstruction of devastated areas.

6       SEC. 2. ~~(a)~~ Notwithstanding section 120(f) of title 23  
7 of the United States Code, the Federal share payable from  
8 the emergency fund authorized by section 125 of such title  
9 on account of any repair or reconstruction of highways on  
10 the Federal-aid highway system of California, Oregon, Wash-  
11 ington, Nevada, and Idaho, which were damaged or de-  
12 stroyed by the floods and high waters during December  
13 1964, and January and February 1965, shall be 100 per  
14 centum of the cost of such repair or reconstruction.

15       ~~(b)~~ There is authorized to be appropriated to carry  
16 out this section, in addition to the amounts authorized by sec-  
17 tion 125 of title 23, United States Code, not to exceed  
18 \$80,000,000 for the period ending June 30, 1966.

19       SEC. 3. ~~(a)~~ The Secretaries of Agriculture and Interior  
20 are each authorized to undertake either directly or in co-  
21 operation with timber purchasers, the provisions of existing  
22 timber sales contracts notwithstanding, to restore or recon-  
23 struct or to compensate for authorized emergency restora-  
24 tion to such extent as he deems appropriate for the protec-  
25 tion and management of federally administered property, any



1 roads and trails which were in the process of construction or  
2 required to be maintained by purchasers of timber from lands  
3 administered by such Secretary and which were destroyed  
4 or severely damaged by the floods of December 1964, and  
5 January and February 1965. There is authorized to be  
6 appropriated to carry out this subsection for the period end-  
7 ing June 30, 1966, not to exceed \$15,000,000 to the Secre-  
8 tary of the Interior, and not to exceed \$2,500,000 to the  
9 Secretary of Agriculture.

10 ~~(b)~~ Paragraph ~~(3)~~ of section 2 of the Federal Aid  
11 Highway Act of 1964 is amended to read as follows:

12 ~~“(3)~~ For forest development roads and trails, \$125,-  
13 000,000 for the fiscal year ending June 30, 1966, of which  
14 not to exceed \$40,000,000 shall be used solely for the con-  
15 struction, repair, and reconstruction of forest development  
16 roads and trails in the States of California, Oregon, Washing-  
17 ton, Nevada, and Idaho necessary because of the floods and  
18 high waters in such States during December 1964, and  
19 January and February 1965, and \$85,000,000 for the fiscal  
20 year ending June 30, 1967.”

21 ~~(c)~~ The Secretary of Agriculture is authorized to reduce  
22 to seven days the minimum period of advance public notice  
23 required by the first section of the Act of June 4, 1897 (16  
24 U.S.C. 476), in connection with the sale of timber from  
25 national forests, whenever the Secretary determines that the

1 sale of such timber will assist in the reconstruction of any  
2 area of California, Oregon, Washington, Nevada, and Idaho  
3 damaged by floods or high waters during December 1964,  
4 and January and February 1965.

5       SEC. 4. (a) The President is authorized to reimburse  
6 common carriers by railroad, whose trackage was damaged  
7 or destroyed as a result of the floods and high waters during  
8 December 1964 and January and February 1965, and whose  
9 facilities are necessary in the transportation of freight, for  
10 removal of debris and wreckage and for streambank stabiliza-  
11 tion and repair work, including the cost of revetment, rip-  
12 rap, protective, and other work, on public or private lands,  
13 designed to repair and prevent the recurrence of damage  
14 by floods or high waters to the banks of waterways adjacent  
15 to the trackage of such carriers.

16       (b) There is authorized to be appropriated to carry  
17 out this section not to exceed \$5,000,000 for the period  
18 ending June 30, 1966.

19       SEC. 5. (a) The Secretary of Agriculture is authorized  
20 to compromise or release such portion of a borrower's indebt-  
21 edness under programs administered by the Farmers Home  
22 Administration in California, Oregon, Washington, Nevada,  
23 and Idaho as he finds necessary because of loss resulting  
24 from the floods and high waters during December 1964, and

1 January and February 1965, and he may refinance out-  
2 standing indebtedness of applicants in such States for loans  
3 under section 502 of the Housing Act of 1949 for the  
4 repair, reconstruction, or replacement of dwellings or farm  
5 buildings lost, destroyed, or damaged by such causes and  
6 securing such outstanding indebtedness. Such loans may  
7 also be provided for the purchase of building sites when  
8 the original sites cannot be utilized.

9 (b) The Secretary of Agriculture is authorized to com-  
10 promise or release such portion of a borrower's indebtedness  
11 under programs administered by the Rural Electrification  
12 Administration in California, Oregon, Washington, Nevada,  
13 and Idaho as he finds necessary because of loss, destruction,  
14 or damage of property resulting from floods and high waters  
15 during December 1964, and January and February 1965.

16 SEC. 6. The Housing and Home Finance Administrator  
17 is authorized to compromise or release such portion of any  
18 note or other obligation held by him with respect to prop-  
19 erty in California, Oregon, Washington, Nevada, or Idaho  
20 pursuant to title II of the Housing Amendments of 1955,  
21 or included within the revolving fund for liquidating pro-  
22 grams established by the Independent Offices Appropriation  
23 Act of 1955, as he finds necessary because of loss, destruc-



1 tion, or damage to facilities securing such obligations by  
2 the floods and high waters during December 1964, and  
3 January and February 1965.

4 SEC. 7. Loans made pursuant to paragraph (1) of  
5 section 7(b) of the Small Business Act (15 U.S.C. 636  
6 (b)) for the purpose of replacing, reconstructing, or re-  
7 pairing dwellings in California, Oregon, Washington, Ne-  
8 vada, and Idaho, damaged or destroyed by the floods and  
9 high waters of December 1964, and January and February  
10 1965, may have a maturity of up to thirty years, except  
11 that section 7(c) of such Act shall not apply to such loans.

12 SEC. 8. This Act, other than the amendment made by  
13 section 3(b), shall not be in effect after June 30, 1966,  
14 except with respect to payment of expenditures for obliga-  
15 tions and commitments entered into under this Act on  
16 or before such date.

17 SEC. 9. This Act may be cited as the "Pacific North-  
18 west Disaster Relief Act of 1965".

19 *That Congress hereby recognizes (1) that the States of*  
20 *California, Oregon, Washington, Nevada, and Idaho have*  
21 *experienced extensive property loss and damage as the*  
22 *result of floods and high waters during December 1964, and*  
23 *January and February 1965, (2) that much of the affected*  
24 *area is federally owned and administered, and (3) that the*  
25 *livelihood of the people in the area is dependent on prompt*

1 restoration of transportation facilities, and therefore Congress  
2 declares the need for special measures designed to aid and  
3 accelerate those States in their efforts to provide for the  
4 reconstruction of devastated areas.

5 SEC. 2. There is authorized to be appropriated, out of  
6 any money in the Treasury not otherwise appropriated, in  
7 addition to the amounts authorized in section 125 of title  
8 23 of the United States Code, not to exceed \$50,000,000 for  
9 the fiscal year ending June 30, 1965, and not to exceed  
10 \$20,000,000 for the fiscal year ending June 30, 1966. Such  
11 sums shall be obligated and expended by the Secretary of  
12 Commerce in accordance with such section 125, and related  
13 provisions of title 23 of the United States Code for the repair  
14 and reconstruction of highways, roads, and trails, damaged  
15 as the result of a disaster.

16 SEC. 3. (a) Notwithstanding provisions of existing con-  
17 tracts, the Secretary of the Interior and the Secretary of  
18 Agriculture, separately, and as part of the regular road and  
19 trail construction program, shall reimburse timber sale con-  
20 tractors or otherwise arrange to bear road and trail con-  
21 struction and restoration costs either directly or in coopera-  
22 tion with timber purchasers to the extent of costs determined  
23 by the respective Secretary as incurred or to be incurred for  
24 restoring roads in any stage of construction authorized by a  
25 contract for the purchase of timber from lands under his

1 jurisdiction to substantially the same condition as existed  
2 prior to the damage resulting from the floods of December  
3 1964, and January and February of 1965 in California,  
4 Oregon, Washington, Nevada, and Idaho, and to the extent  
5 costs determined by the respective Secretary as incurred or  
6 to be incurred for completing road construction not performed  
7 under any such contract prior to the floods but which, be-  
8 cause of changed conditions resulting from the floods, exceed  
9 road construction costs as originally determined by the re-  
10 spective Secretary. The costs for such road restoration, re-  
11 construction, and construction under any single timber pur-  
12 chase contract on roads not accepted prior to the floods,  
13 whether construction was complete, partial, or not yet begun,  
14 shall be borne as follows: 15 per centum of all amounts shall  
15 be borne by the timber purchaser, except that such purchaser  
16 shall not be required to bear costs of more than \$4,500, and  
17 the Secretary shall bear the remaining portion of such costs.  
18 This subsection shall not apply (1) in the case of any road  
19 restoration or reconstruction if the cost of such restoration  
20 or reconstruction is less than \$500, and (2) in the case  
21 of any road construction if the increase in the cost of such  
22 construction as the result of the floods is less than \$500 more  
23 than the construction costs as originally determined by the  
24 respective Secretary.



1       (b) Where the Secretary determines that damages are  
2 so great that restoration, reconstruction, or construction is  
3 not practical under the cost-sharing arrangement authorized  
4 by subsection (a) of this section, the Secretary may allow  
5 cancellation of the contract notwithstanding provisions  
6 therein.

7       (c) Paragraph (3) of section 2 of the Federal-Aid  
8 Highway Act of 1964 is amended to read as follows:

9       “(3) For forest development roads and trails, \$123,-  
10 000,000 for the fiscal year ending June 30, 1966, of which  
11 not to exceed \$38,000,000 shall be used solely for the con-  
12 struction, repair, and reconstruction of forest development  
13 roads and trails in the States of California, Oregon, Wash-  
14 ington, Nevada, and Idaho, necessary because of the floods  
15 and high waters in such States during December 1964, and  
16 January and February 1965, and \$85,000,000 for the fiscal  
17 year ending June 30, 1967.”

18       (d) The Secretary of Agriculture is authorized to reduce  
19 to seven days the minimum period of advance public notice  
20 required by the first section of the Act of June 4, 1897 (16  
21 U.S.C. 476), in connection with the sale of timber from  
22 national forests, whenever the Secretary determines that the  
23 sale of such timber will assist in the reconstruction of any  
24 area of California, Oregon, Washington, Nevada, and Idaho

1 damaged by floods or high waters during December 1964,  
2 and January and February 1965.

3       *SEC. 4. The Secretary of the Interior is authorized to*  
4 *give any public land entryman such additional time in which*  
5 *to comply with any requirement of law in connection with*  
6 *any public land entry for lands in California, Oregon, Wash-*  
7 *ington, Nevada, and Idaho, as the Secretary finds appro-*  
8 *priate because of interference with the entryman's ability*  
9 *to comply with such requirement resulting from floods and*  
10 *high waters during December 1964, and January and*  
11 *February 1965.*

12       *SEC. 5. (a) The President, acting through the Office*  
13 *of Emergency Planning, shall make a survey to determine*  
14 *what protective works would be necessary to prevent the*  
15 *recurrence of damage by floods or high waters to those banks*  
16 *of the Eel River, California, which are adjacent to the track-*  
17 *age of any common carrier by railroad and shall report to*  
18 *Congress the results of such survey together with the cost*  
19 *of any recommended work within sixty days after the date*  
20 *of enactment of this Act. The President, acting through*  
21 *the Office of Emergency Planning, is authorized to perform*  
22 *all or any part of the recommended work determined to be*  
23 *in the public interest and to reimburse any common carrier*  
24 *for any of such recommended work performed by such car-*

1 rier, but no appropriation shall be made for any such work  
2 which has not been approved before June 30, 1966, by  
3 resolution adopted by the Committees on Public Works of the  
4 Senate and the House of Representatives, respectively. The  
5 Corps of Engineers of the United States Army shall be used  
6 to make the survey authorized by this section, shall recom-  
7 mend necessary work that has been determined by the  
8 President acting through the Office of Emergency Planning  
9 to be in the public interest, and shall be used to supervise  
10 any work authorized to be performed under this section.

11 (b) There is authorized to be appropriated not to exceed  
12 \$3,875,000 to carry out this section.

13 SEC. 6. Loans made pursuant to paragraph (1) of sec-  
14 tion 7(b) of the Small Business Act (15 U.S.C. 636(b))  
15 for the purpose of replacing, reconstructing, or repairing  
16 dwellings in California, Oregon, Washington, Nevada, and  
17 Idaho, damaged or destroyed by the floods and high waters  
18 of December 1964, and January and February 1965, may  
19 have a maturity of up to thirty years, except that section  
20 7(c) of such Act shall not apply to such loans.

21 SEC. 7. This Act, other than section 5 and the amend-  
22 ment made by section 3(c), shall not be in effect after June  
23 30, 1966, except with respect to payment of expenditures



1    *for obligations and commitments entered into under this Act*  
2    *on or before such date.*

3        *SEC. 8. This Act may be cited as the “Pacific Northwest*  
4    *Disaster Relief Act of 1965”.*

---

---

A BILL

---

---

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

---

By Mr. JOHNSON of California

---

---

APRIL 8, 1965

Referred to the Committee on Public Works

MAY 6, 1965

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed



1. The following are the names of the persons who have been appointed to the various committees of the Board of Directors:
2. The following are the names of the persons who have been appointed to the various committees of the Board of Directors:
3. The following are the names of the persons who have been appointed to the various committees of the Board of Directors:
4. The following are the names of the persons who have been appointed to the various committees of the Board of Directors:

H. R. 7303

(Enacted May 2, 1913)

### A BILL

FOR THE PURPOSE OF

AMENDING

THE

ACT

TO

AMEND

THE

ACT

TO

AMEND

THE

ACT

TO

AMEND



# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued May 19, 1965

For actions of May 18, 1965

89th-1st; No. 89

### CONTENTS

Air pollution.....11	Farm program....6,13,21,32	Price support.....36
Area redevelopment.....8	Federal aid.....23	Recreation.....2,20
Awards.....7,26	Feed grains.....36	Research.....13,30
Balance of payments.....24	Firefighters.....35	Small business.....22
Beef exports.....16	Flood relief.....33	Soil conservation.....13
Cooperatives.....34	Food marketing.....27	Solid wastes.....30
Crop yields.....6	Forestry.....4	Urban affairs.....19
Disaster relief..1,9,33,36	Housing.....19	Water conservation.....13
Economic development....12	Labor.....3,10,28	Water pollution.....14
Education.....5,31	Legislative program.....9	Water resources.....2
Electrification.....15,34	Marketing.....17	Wheat.....13
Employment.....29	Personnel.....7,26	Wildlife.....2,18
Farm commodities.....3	Poverty.....25	

**HIGHLIGHTS:** House Rules Committee cleared Northwest disaster relief bill. Both Houses received President's Labor message. Sen. McNamara and Rep. Roosevelt introduced and discussed bills to amend Fair Labor Standards Act. Rep. Findley criticized USDA program to refigure crop yield data. Rep. Sullivan commended study by National Food Marketing Commission. Sen. Sparkman inserted report on expanded beef exports.

### HOUSE

1. **DISASTER RELIEF.** The Rules Committee reported a resolution for consideration of H. R. 7303, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods. ~~pp. 10497, 10541~~

2. WATER RESOURCES. Passed with amendment S. 1229, to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects and to provide the Secretary of the Interior with authority for recreation development of projects under his control, after substituting the language of a similar bill, H. R. 5269, which was passed earlier as reported from committee. H. R. 5269 was tabled. (pp. 10496-509) The committee report states that, in effect, the bill is applicable only to Interior and Army water resources development projects.  
Rep. Anderson inserted Secretary Freeman's address dedicating nine community water systems in Lawrence County, Tenn., and discussing the importance of developing the economy in rural areas. pp. 10537-8
3. LABOR. Both Houses received the President's labor message in which he urged amendment of the Fair Labor Standards Act to extend its protection to an additional 4½ million workers (pp. 10399-400, 10493-4). Reps. Griffin and Roosevelt commended the message, and Rep. Roosevelt inserted an explanation of the proposed bill transmitted with the message which states that the bill would consolidate and clarify the Fair Labor Standards Act's present exemption for the handling and processing of farm commodities (pp. 10521-3).
4. FORESTRY. The Interior and Insular Affairs Committee reported with amendment H. R. 5798, to extend the boundaries of the Kaniksu National Forest, Idaho (H. Rept. 351). p. 10541
5. EDUCATION. The "Daily Digest" states that the Special Subcommittee on Education of the Education and Labor Committee "ordered reported H. R. 3220, regarding higher education (a clean bill to be introduced in lieu thereof)". p. D412
6. FARM PROGRAM; CROP YIELDS. Rep. Findley stated that he has asked the President "to call a halt to a costly and illegal program under which crop-yield data for most of the Nation's farms is being refigured" by this Department, and inserted the text of his letter to the President on the subject. p. 10528  
Rep. Williams inserted an address on the economic development of Miss., including agriculture and forestry development. pp. 10523-5
7. PERSONNEL. Rep. Dole commended Hollis Williams, SCS, for receiving a distinguished service award by this Department. p. 10525
8. AREA REDEVELOPMENT. Received from GAO "a report of inequitable allocation of accelerated public works funds among eligible areas, Area Redevelopment Administration." p. 10541
9. LEGISLATIVE PROGRAM. Rep. Albert stated that H. R. 7303, the Northwest disaster relief bill, will probably be considered today, Wed. p. 10493

#### SENATE

10. LABOR STANDARDS. Sen. Javits stated that the President's labor message is a "good step in the right direction" but is far from adequate to deal with certain problems. p. 10457
11. AIR POLLUTION. Passed as reported S. 306, to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles and to establish a Federal Air Pollution Control Laboratory. pp. 10400-4

## CONSIDERATION OF H.R. 7303

---

MAY 18, 1965.—Referred to the House Calendar and ordered to be printed

---

Mr. SISK, from the Committee on Rules, submitted the following

### R E P O R T

[To accompany H. Res. 388]

The Committee on Rules, having had under consideration House Resolution 388, report the same to the House with the recommendation that the resolution do pass.





THE UNIVERSITY OF CHICAGO

DEPARTMENT OF CHEMISTRY

BY THE PRESIDENT OF THE UNIVERSITY OF CHICAGO

IN RESPONSE TO THE RESOLUTION OF THE BOARD OF TRUSTEES

1900

CHICAGO, ILL.

PRINTED BY THE UNIVERSITY OF CHICAGO PRESS

1900

## House Calendar No. 77

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. RES. 388

[Report No. 352]

---

### IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1965

Mr. SISK, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

---

## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the  
4 Union for the consideration of the bill (H.R. 7303) to  
5 provide assistance to the States of California, Oregon, Wash-  
6 ington, Nevada, and Idaho for the reconstruction of areas  
7 damaged by recent floods and high waters. After general  
8 debate, which shall be confined to the bill and shall con-  
9 tinue not to exceed two hours, to be equally divided and  
10 controlled by the chairman and ranking minority member  
11 of the Committee on Public Works, the bill shall be read  
12 for amendment under the five-minute rule. It shall be in

1 order to consider without the intervention of any point  
2 of order the substitute amendment recommended by the  
3 Committee on Public Works now in the bill and such sub-  
4 stitute for the purpose of amendment shall be considered  
5 under the five-minute rule as an original bill. At the con-  
6 clusion of such consideration the Committee shall rise and  
7 report the bill to the House with such amendments as may  
8 have been adopted, and any Member may demand a separate  
9 vote in the House on any of the amendments adopted in  
10 the Committee of the Whole to the bill or committee sub-  
11 stitute. The previous question shall be considered as  
12 ordered on the bill and amendments thereto to final passage  
13 without intervening motion except one motion to recommit  
14 with or without instructions.

15 After the passage of H.R. 7303, the Committee on  
16 Public Works shall be discharged from the further con-  
17 sideration of the bill S. 327 and it shall then be in order in  
18 the House to move to strike out all after the enacting clause  
19 of said Senate bill and insert in lieu thereof the provisions  
20 contained in H.R. 7303 as passed.



Exhibit

Exhibit to the ...

...

...

...

...

...

...

RESOLUTION

...

... 11 REV 358

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. RES. 388**

[Report No. 352]

---

---

**RESOLUTION**

---

---

Providing for consideration of H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

---

By Mr. Sisk

---

---

May 18, 1965

Referred to the House Calendar and ordered to be  
printed







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

Issued May 20, 1965

For actions of May 19, 1965

89th-1st; No. 90

### CONTENTS

Agricultural appropriations.....5	Forest roads.....1	Property.....11
Appropriations.....5	Forestry.....11	REA programs.....21
Cigarette labeling.....8	Housing.....4,13	Recreation.....3,23,31
Cotton.....16	International Monetary Fund.....9	Roads and trails.....1
Disaster relief.....1,28	Lands.....3	Small business.....6
Electrification.....21	Loans.....14,25	Textiles.....22
Farm labor.....15	Marketing.....18	Tobacco.....2,8
Federal aid.....30	Milk.....26	Urban development.....4
Feed grains.....28	Patents.....17	Water resources.....7,27
Fees and charges.....31	Pay.....24	Water systems.....14
Fish.....7,12	Personnel.....11,24	Watersheds.....10
Foreign trade.....20	Poverty.....19,29	Wildlife.....7,12

HIGHLIGHTS: Senate committee reported cigarette labeling bill. Senate committee voted to report bill to increase watershed floodwater detention capacity. House passed Northwest disaster relief bill. House committee voted to report housing and urban development bill. House committee granted permission to file report on USDA appropriation bill Thurs., May 20. House passed bill extending time for filing leases transferring tobacco allotments. Sen. Monroney introduced and discussed President's pay bill.

### HOUSE

1. DISASTER RELIEF. Passed with amendment S. 327, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods and highwaters, after substituting the text of a similar bill, H.R. 7303, which was passed earlier as reported from committee. H. R. 7303 was tabled. (pp. 10546-55) As passed the bill includes provisions as follows: Authorizes an additional \$38 million for forest development roads and trails for the fiscal year ending June 30, 1966 to be used solely for the construction, repair and reconstruction of forest development roads and trails in these States damaged by

floods. Authorizes the Secretaries of Agriculture and the Interior to reimburse timber sale contractors for reconstruction and restoration of roads which were under construction but had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods; provides that timber sale purchasers shall bear 15 percent of the costs of reconstruction and restoration, up to a maximum cost to the purchaser of \$4,500, and the Government shall bear 85 percent of the costs, and 100 percent of all amounts above \$30,000 on a single timber purchase contract; and provides the Secretaries with discretionary authority to cancel a timber purchase contract where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the above cost-sharing arrangement. Authorizes the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected area. Authorizes the appropriation of not to exceed \$50 million for fiscal year 1965 and not to exceed \$20 million for fiscal year 1966 to the Department of Commerce for the repair and reconstruction of highways, roads, and trails, on a national basis, which are damaged as a result of a disaster.

2. TOBACCO. Passed without amendment H. J. Res. 436, to permit tobacco farmers who have entered into a lease for the transfer of 1965 tobacco acreage allotments an additional 20 days after enactment of this joint resolution to file such leases with their local ASC county committee. p. 10546
3. LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 797, with amendment, to provide for establishment of the the Whiskeytown-Shasta-Trinity National Recreation Area, Calif., and H. R. 903, to add certain lands to the Kings Canyon National Park, Calif. p. D420  
The "Daily Digest" states that the Interior and Insular Affairs Committee tabled H. R. 16, relating to the selection of mineral lands by States in certain instances in lieu of lands granted to them but lost before title could pass. p. D420
4. HOUSING AND URBAN DEVELOPMENT. The Banking and Currency Committee voted to report (but did not actually report) H. R. 7984, the proposed Housing and Urban Development Act of 1965 (p. D420). The Committee was granted permission to file a report on this bill by midnight Thurs., May 20 (p. 10556).
5. APPROPRIATIONS. The Appropriations Committee was granted permission to file a report on the USDA appropriation bill by midnight Thurs., May 20. p. 10545
6. SMALL BUSINESS. The Banking and Currency Committee reported without amendment S. 1796, to amend the Small Business Act so as to provide for an increase in the maturity of Small Business Administration disaster loans from 20 to 30 years (H. Rept. 354). p. 10572
7. WATER RESOURCES. Rep. Grabowski spoke in support of H. R. 5269, to provide uniform rules for the treatment of recreation and fish and wildlife benefits and costs in connection with Federal water resource projects of the Corps of Engineers and the Bureau of Reclamation. p. 10567





United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 89<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 111

WASHINGTON, WEDNESDAY, MAY 19, 1965

No. 90

## House of Representatives

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture:

I John 3: 1: *Behold, what manner of love the Father hath bestowed upon us, that we should be called the sons of God.*

O Thou who art the God of justice and righteousness, of love and good will, grant that we may have the faith to believe that a better day for all humanity is slowly dawning and that a better mood and a better mind are making themselves felt among all nations.

We have had a clear demonstration in facts and figures of the stupidity and insanity of war and we dare not allow our civilization to go down in blood and ashes.

There must be brought into being a new dimension of religion, more real and more heroic, more human and practical in its insight and appeal, and more divine in its consecration and cooperation and compassion.

Fear and force have failed and now the spiritual influences of love which never faileth must take up the task of stamping out the hatred of man and weaving a better spell upon the human mind and heart.

Hear us in the name of the Prince of Peace. Amen.

### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 800) entitled "An act to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and

research, development, test, and evaluation, for the Armed Forces, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. SYMINGTON, Mr. JACKSON, Mr. CANNON, Mr. SALTONSTALL, and Mrs. SMITH to be the conferees on the part of the Senate.

### DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1966

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tomorrow to file a report on the Department of Agriculture and related agencies appropriation bill for the fiscal year 1966.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BOW. Mr. Speaker, I reserve all points of order on the bill.

### AUTHORIZING APPROPRIATIONS FOR PROCUREMENT OF AIR- CRAFT, ETC.

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 800) to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces, and for other purposes, insist on the House amendment and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: MESSRS. PHILBIN, HEBERT, PRICE, FISHER, HARDY, BATES, ARENDS, and O'KONSKI.

### CANADA-UNITED STATES INTER- PARLIAMENTARY MEETING

The SPEAKER. The Chair lays before the House the following communication which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, COMMITTEE ON BANKING AND CURRENCY,

Washington, D.C., May 18, 1965.

The SPEAKER,  
House of Representatives,  
Washington, D.C.

Mr. SPEAKER: Due to circumstances beyond my control, I deeply regret that I must resign as a delegate to the Canada-United States Interparliamentary Conference which will be held in Canada May 20-24.

Yours sincerely,

FERNAND J. ST GERMAIN,  
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as a member of the U.S. delegation of the Canada-United States interparliamentary group for the meeting to be held in Ottawa, Canada, from May 20 to May 23, 1965, the gentleman from Illinois [Mr. YATES], to fill the existing vacancy thereon.

### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE ADMINIS- TRATION

(Mr. O'NEILL of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'NEILL of Massachusetts. Mr. Speaker, it has come to my attention that the Department of Health, Education, and Welfare has a regulation in effect which would deny to the State of Massachusetts, and I am sure many other States, the use of Federal funds. The use of Federal funds will be withheld where the State is entitled to reimbursement. This regulation of the Department of Health, Education, and Welfare requires that all welfare workers have to be college graduates. In my opinion, this is bad. Furthermore, it is my understanding that anyone who has been working for the Department of Health, Education, and Welfare for a number of years cannot get a promotion unless he or she is a college graduate. While I doubt the wisdom of the regulation in the first place, I certainly do be-



lieve it would be fair to provide what is commonly known as a "grandfather clause" so as to protect those individuals who have been employed in the various departments for years and years and who have shown merit in their work and who, therefore, should be entitled to promotion.

Mr. Speaker, I am sure I am not alone when I say that the requirement of a college degree does not mean always that you are getting the best man for any particular job. For example, suppose we had a law or rule that you could not be a Member of the Congress unless you were a college graduate. We all know that some of the great men of the Congress of the United States—yes, and even including our great Speaker of the House who is an attorney and a member of the bar, but who obtained his legal education by serving his apprenticeship in a law office, would not be eligible to serve in this body.

I serve notice on Mr. Celebrezze that I think his ruling is wrong and I intend to protest it vigorously.

I would like to read a communication from William T. Casey, director of public assistance in the city of Somerville:

CITY OF SOMERVILLE,  
BOARD OF PUBLIC WELFARE,  
Somerville, Mass., May 12, 1965.

Hon. THOMAS P. O'NEILL, Jr.,  
House Office Building,  
Washington, D.C.

DEAR SIR: As the director of the public assistance agency in the city with the ninth highest caseload in the Commonwealth, I am deeply concerned with the provisions of Massachusetts house bill No. 3652. This bill was filed by the Massachusetts commissioner of public welfare at the insistence of Federal Health, Education, and Welfare, on the threat of withholding reimbursement for administration of public welfare in Massachusetts. In substance the bill as it stands will require any new employee in the social service division of public agencies to possess at least a bachelor's degree from an accredited college. In addition it will prevent any present employee who does not possess such an academic background, from advancing in rank. It is the latter provision which is creating the problem. By freezing such personnel, many with long years of service, in their present positions, the action would create the greatest factor toward completely ruining the morale of every agency in the 351 cities and towns of the Commonwealth as well as the State department of public welfare. What incentive would remain for these workers to extend themselves if they know they can never advance?

The members of the Massachusetts Legislature have been requested by employee organizations to amend the bill to include a "grandfather's clause." Such an amendment could better be spoken of as an "opportunity clause" because such a title better describes the justice and fairness to which they should be entitled. I personally approve of such an amendment and I respectfully request that you use any means in your power to influence the Department of Health, Education, and Welfare to accept such an amendment. I am sure the members of the Massachusetts Legislature would also appreciate hearing of your approval.

Very truly yours,

WILLIAM T. CASEY,  
Director of Public Assistance.

Mr. Speaker, I am aware that Hon. JOHN W. McCORMACK, the Speaker of the House, has also protested this action. I

trust that this gross injustice will be corrected.

#### EXTENSION OF TIME TO FILE 1965 TOBACCO ALLOTMENT LEASES

Mr. ABBITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 436) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 436

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (g) of section 316 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out "1964" wherever it appears in said subsection and substituting therefor "1965".*

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 388) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 388

*Resolved, That upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Public Works now in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instruction.*

After the passage of H.R. 7303, the Committee on Public Works shall be discharged

from the further consideration of the bill S. 327 and it shall then be in order in the House to move to strike out all after the enacting clause of said Senate bill and insert in lieu thereof the provisions contained in H.R. 7303 as passed.

The SPEAKER. The gentleman from California is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. SMITH] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 388 provides for consideration of H.R. 7303, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters. The resolution provides an open rule with 2 hours of general debate, making it in order, without the intervention of any point of order, to consider the substitute now in the bill as an original bill for the purpose of amendment. The rule further provides that after passage of H.R. 7303, the Committee on Public Works shall be discharged from further consideration of S. 327, that it shall be in order to strike out all after the enacting clause of the Senate bill and insert in lieu thereof the language of the House-passed bill.

The catastrophic floods in northern California, Oregon, and contiguous parts of Nevada, Idaho, and Washington during December of last year were among the worst experienced in the history of the United States.

Over 12,000 homes were damaged, half of which were demolished, affecting 20,000 families. Forty-five persons died and some 2,000 persons were injured. Over 35,000 farms were flooded in California alone. The cost in human suffering cannot be evaluated. But physical damages are tentatively estimated to approach about a half billion dollars.

Under Public Law 81-875, the President declared the area a major disaster area and all available machinery of the Federal and State governments, as well as of the county and municipal jurisdictions was directed to immediate relief and subsequent rehabilitation. Equipment and services to transport food and forage, clothes, fuel, and other necessities were supplied by the Army, Navy, Marine, and Air Force.

A special subcommittee of the Committee on Public Works was sent to the area to inspect the damage and to meet with Federal, State, and local officials. On their return they reported to the full committee and hearings were begun. H.R. 7303 is a result of their findings. It contains what is believed to be needed and necessary to give further aid to the disaster-stricken areas.

The bill would authorize the appropriations from the general fund of the Treasury of not to exceed \$50 million for fiscal year 1965 and not to exceed \$20 million for fiscal year 1966 for the repair and reconstruction of highways, roads, and trails damaged.

Mr. Speaker, I urge the adoption of House Resolution 388.

(Mr. SISK asked and was given permission to revise and extend his remarks.)



Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, once again I find myself in complete agreement with the gentleman from California [Mr. SISK] on the explanation of this rule and the purpose of the bill. As stated, it is a 2-hour rule which waives points of order. That is due to section 5 of the bill, which will provide for transfer of certain funds to certain private industries.

The rule also provides for a substitution of the House language in the Senate bill, when the bill is passed.

The total cost for the remainder of fiscal year 1965 and for fiscal year 1966 will be \$111,875,000.

I know of no objection to the rule. I know of much support for the bill.

I urge the adoption of the rule.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### THE PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7303), with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. JONES] will be recognized for 1 hour, and the gentleman from Florida [Mr. CRAMER] will be recognized for 1 hour.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Maryland, the chairman of the Committee on Public Works [Mr. FALLON].

(Mr. FALLON asked and was given permission to revise and extend his remarks.)

Mr. FALLON. Mr. Chairman, I rise in support of H.R. 7303 which was reported unanimously by the Committee on Public Works.

When the Congress reconvened at the beginning of this session, one of the major problems facing the Committee on Public Works was the question of what should be done about the unprecedented and extensive flooding that had occurred

in the Pacific Northwest during December 1964. There had been tremendous damage to northern California, Oregon, and contiguous parts of Nevada, Idaho, and Washington. These floods were among the worst experienced in the history of the United States. Since the Committee on Public Works has as one of its basic jurisdictions the question of flood control, it was determined that a special subcommittee should be sent immediately to report back to the full committee a firsthand account of the damage that had been suffered in the area. I named the distinguished gentleman from Alabama, the Honorable ROBERT E. JONES, who is chairman of the subcommittee on Flood Control, to head this subcommittee. Along with him went the Honorable JIM WRIGHT of Texas; the Honorable HAROLD T. JOHNSON of California; the Honorable DON H. CLAUSEN of California; and the Honorable WILLIAM H. HARSHA of Ohio.

The special subcommittee made a detailed examination of the affected area and the result of its trip can be found in the excellent report the subcommittee presented to the Committee on Public Works which is now Committee Print No. 8, "Report of the Special Subcommittee to Inspect Flooded Areas in the Northwestern United States." Thereafter, hearings were held on a number of bills which had been introduced to provide relief to the Pacific-Northwest area. H.R. 7303 was drafted after full and extensive committee hearings on this problem and after careful consideration of the report of the special subcommittee. It is the result of long and hard work in the committee and it is a good bill.

The agencies of Government which have provided relief in the area include the Office of Emergency Planning among others which have done an excellent job within their jurisdiction, but there is a need and I believe a responsibility on the part of the Congress for legislation such as we are considering today. The people of the Pacific Northwest need all of the assistance they can get to fully restore the economic and social life of that great section of our Nation. H.R. 7303 provides the means for that work to be carried out and I strongly recommend its passage.

As a further evidence of the concern of the Public Works Committee for areas of our country which have experienced loss of lives and property as a result of floods a special subcommittee will leave Washington late this afternoon to visit Minnesota, Iowa, Illinois, and Wisconsin and to gather at firsthand information on the recent disaster in that area.

It is the intention of the Public Works Committee to continue our interest in controlling the waters of our Nation and to recommend to the Congress whatever appropriate action is necessary in each instance where the forces of nature have wreaked havoc and destruction upon the people of our great Nation.

Mr. JONES of Alabama. Mr. Chairman, H.R. 7303, the Pacific Northwest Disaster Relief Act of 1965, was reported from the Committee on Public Works unanimously on May 6, 1965. It pro-

vides relief to the States of California, Oregon, Nevada, Idaho, and Washington who suffered severe flood damage as a result of the floods of December 1964, and January and February of 1965.

It was my privilege to be chairman of the special subcommittee that was appointed by the chairman of our committee, Congressman GEORGE H. FALLON, at the suggestion of the Speaker of the House and the President of the United States.

I would be remiss in my remarks at this point if I did not pay proper and fitting tribute to all those who were so necessary and so needed and who were really responsible for the success of the trip we took to the Pacific Northwest last January and who are today indirectly the reasons why this legislation is before this body.

Let me begin by commending the initiative and fight of my colleague, the distinguished member of the Committee on Public Works, the Representative from the Second Congressional District of California, the Honorable HAROLD T. "BIZZ" JOHNSON. It was his initiative as a Representative of part of this flood-stricken area that brought into full focus the need for the trip we took and for the legislation which is before us today. He is to be highly commended for his untiring efforts and work on this whole problem of the devastated areas of the Pacific Northwest.

I would also like to pay tribute to another outstanding member of our committee the Representative of the First District of California, who worked unceasingly during the trip and afterward here in Washington to bring this legislation to proper focus my good friend and colleague, the Honorable DON H. CLAUSEN.

During our visit to the flood-stricken area we received the highest cooperation from the Governors of all the affected States. The local officials on all governmental levels in the affected States cooperated with us to the fullest extent. Let me compliment particularly those Federal agencies whose representatives accompanied us on our trip and who were so helpful to us in Washington. May I single out in particular those representatives of the agencies who accompanied us to the Pacific Northwest:

Mr. Frank Turner, chief engineer, Bureau of Public Roads;

Brig. Gen. Harry Woodbury, Jr., Deputy Director of Civil Works, Corps of Engineers, U.S. Army;

Mr. Ellis L. Hatt, Assistant to the Deputy Administrator for Watersheds, Department of Agriculture;

Mr. Floyd E. Dominy, Commissioner, Bureau of Reclamation, Department of the Interior;

Mr. Frank Dryden, Deputy Administrator, Office of Emergency Planning; and

Mr. Clarence Cowles, Director, Office of Financial Services, Small Business Administration.

Finally, may I thank my colleagues on the committee on both sides of the aisle and in particular our distinguished chairman, the gentleman from Maryland [Mr. FALLON], and the ranking minority member, the gentleman from Florida



[Mr. CRAMER], for their cooperation which brought about the legislation which is before us today.

We toured the flood stricken areas of northern California and Oregon and heard firsthand accounts from State and local officials, as well as private citizens of the devastation that had covered this most important section of our Nation. On our return to Washington we filed our report with the full Committee on Public Works and then hearings were held on a number of bills dealing with the problem of providing relief for the States affected by the floods of December, January, and February last. This legislation which is before you today I think will go a long way toward giving a vital hand toward those people in the area who have done so much on their own initiative but who, because of the tremendous losses they have suffered, require the assistance this legislation will give them. I am proud of this type of legislation and I am privileged to be here on the floor today with this bill. I strongly recommend its passage by the House.

The following are the major provisions of the bill:

Section 2 of the legislation authorizes an appropriation of not to exceed \$50 million from the general fund of the Treasury for fiscal year 1965 and not to exceed \$20 million for fiscal year 1966 for obligation and expenditure by the Secretary of Commerce under the provisions of section 125, title 23 of the United States Code. This provides additional funds for construction and repair of those roads in the affected States on the Federal-aid highway system which were damaged as a result of the floods.

Section 3 provides the following: It authorizes the Secretaries of Agriculture and the Interior to reimburse timber sales contractors for reconstruction and restoration of roads which were under construction which had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods. It supersedes existing timber sales contracts which embodies the entire loss on the purchasers. It provides the purchasers shall bear 15 percent of the cost of reconstruction and restoration up to a maximum of \$4,500. The Government shall bear 85 percent of the cost and 100 percent of all amounts above \$30,000 on a single timber purchase contract. The estimates of all costs of damage would be made by the appropriate Secretary. It further provides in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500 and in the case of any road construction if the increase in the cost of such construction is less than \$500 more than the construction cost as originally determined either by the Secretaries of Agriculture or Interior then this section will not apply. It further gives either Secretary the discretionary authority to cancel a timber purchase contract where it determines that the damages are so great that restoration, reconstruction or construction is not practical under this cost sharing agreement.

This section further authorizes an additional \$38 million for forest development roads and trails for the fiscal year 1966 raising the total figure from \$85 million to \$123 million. Of this, \$36 million will be used for the construction, repair and reconstruction of the forest development roads and trails and \$2 million to reimburse timber purchasers under section 2 of the bill. This section further provides a reduction of from 30 days to 7 days for the minimum time required to advertize the sale of national forest timber in the affected area.

Section 4 of the bill authorizes the Secretary of the Interior to suspend the time limits embodied in the law for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by floods and high waters.

Section 5 of the bill authorizes the President acting through the Office of Emergency Planning to provide bank protection along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad would be vulnerable to washouts. The survey and supervision of this work will be performed by the Corps of Engineers, U.S. Army. The President acting through the OEP will be authorized under this section to make a survey of what protective works are needed for the necessary revetment work and report to the Congress within 60 days after the date of enactment of this act the results of such survey together with the cost of any recommended work. The President will be authorized to perform this work through the Office of Emergency Planning where he deemed the work was necessary in the public interest. No appropriation, however, shall be made for any recommended work determined by the President to be in the public interest unless such work has been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively, after the consideration of the survey report. Of the \$3,875,000 authorized to perform this work, it is estimated \$250,000 will be required for the survey and the balance of \$3,625,000 to provide the necessary protective works.

Section 6 of the bill authorizes the Small Business Administration to allow the maturity date on loans, the maturity of such loans to be allowable from a 20- to a 30-year amortization period.

The total amount authorized under H.R. 7303 for this relief is \$111,875,000.

Mr. JONES of Alabama. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. JOHNSON], a member of the Committee on Public Works.

Mr. JOHNSON of California. Mr. Chairman, we have before us today H.R. 7303, a bill that was reported from the Committee on Public Works unanimously after a very thorough study of the flood damage in the Pacific Northwest. The flood hit in the months of December, January, and February. There were 45 deaths attributed to the flood and there were 2,000 people injured. There was a little better than half a billion dollars in damage to the five Western States.

Since that time, we had legislation introduced in the Congress, shortly after Congress convened. The President, the Speaker, and the chairman of the Committee on Public Works, the gentleman from Maryland [Mr. FALLON] appointed a subcommittee to go out and make a study of the flood-damaged area. This trip was made starting on January 10 and completed on the 15th; and shortly after we returned to Washington, those of us who made the trip started working with the Federal agencies involved to try to write a piece of legislation agreeable to all and that covered the situation. Hearings were held in Washington on March 9, 10, and 11. The chairman of our committee that made the trip to California, the gentleman from Alabama, the Honorable BOB JONES, conducted those hearings. The hearings were very extensive. We had all of the Federal agencies before the committee.

After the hearings were completed we went to work on the drafting of a bill that would meet the needs and would receive unanimous support in the Committee on Public Works. After many long weeks of consideration, the bill was finally reported by the Committee on Public Works on May 6. Just yesterday the Rules Committee granted the necessary rule to bring the bill before us today.

This particular bill covers the area that was affected by the floods: California, Oregon, Washington, Nevada, and Idaho were the disaster States. The legislation provides for consideration of restoration of the transportation system. The transportation system in the flooded areas was severely damaged. It affected the entire economy of our area. So the bill deals for the most part with assistance through the various Federal agencies, to allow us to restore our transportation system in the areas affected, through local government, district government, State government, and the Federal agencies, which have done a wonderful job in restoring parts of this system. And with this final piece of legislation, the necessary authorization will be granted and we hope the necessary appropriations to finalize the work of restoring the area to normalcy.

Section 2 authorizes an appropriation of an additional \$50 million from the general fund of the Treasury for fiscal year 1965 and an additional \$20 million for fiscal year 1966 for obligation and expenditure by the Secretary of Commerce under the provisions of section 125, title 23, of the United States Code. This provides additional funds for construction and repair of those roads in the affected States on the Federal-aid highway system which were damaged as a result of the floods. The Federal Government, through the Bureau of Public Roads, normally assists in this emergency road rebuilding task where we have contributed to the initial construction of the highway project through the Federal-aid highway program. Each year, Congress has allocated \$30 million for this emergency fund. In view of the Alaskan earthquake disaster, and other disasters throughout the Nation, this \$30 million was nearly exhausted even before



the Pacific Northwest floods. I recognize that we will have even further demands from the floods and tornadoes of the Midwest and want to assure my colleagues from those regions that I stand ready and willing to support their efforts to help their own communities. I have traveled this road before you.

Section 3 authorizes the Secretaries of Agriculture and Interior to reimburse timber sales contractors for reconstruction and restoration of roads which were under construction which had not been accepted by the Government as part of the national system of forest development roads and trails at the time of the floods. It supersedes existing timber sales contracts which place the entire loss on the purchasers. I should note that new contracts which will go into effect July 1 will not place the full burden on the purchaser but will provide that restoration of these roads in similar disasters will be shared by the purchaser and the Federal Government as the seller of the timber. These roads will upon the completion of the timber sale be made part of the Federal forest road system and they will be built to Forest Service standards.

This section provides that the purchasers shall bear 15 percent of the cost of reconstruction and restoration up to a maximum of \$4,500. The Government shall bear 85 percent of the cost and 100 percent of all amounts above \$30,000 on a single timber purchase contract. The estimates of all cost of damage would be made by the appropriate Secretary. It further provides in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500 and in the case of any road construction if the increase in the cost of such construction is less than \$500 more than the construction cost as originally determined either by the Secretaries of Agriculture or Interior then this section will not apply.

It further gives either Secretary the discretionary authority to cancel a timber purchase contract where it determines that the damages are so great that restoration, reconstruction, or construction is not practical under this cost-sharing agreement. This section further authorizes an additional \$38 million for forest development roads and trails for the fiscal year 1966, raising the total figure from \$85 million to \$123 million. Thirty-six million dollars of this will be used for the construction, repair and reconstruction of the forest development roads and trails and \$2 million to reimburse timber purchasers. This section further provides a reduction of from 30 days to 7 days for the minimum time required to advertise the sale of national forest timber in the affected area.

It should be pointed out that a great deal of the area stricken by the floods is Federal timberland. The approximately 45 million acres of Federal forests in this region provide approximately half the commercial timber harvested in these areas which are dependent upon the timber industry. More than 400,000 people are employed by this industry. You can see that restoration of this industry is essential for economic survival of the

region. The sections outlined above would facilitate the rehabilitation of this industry.

Section 4 authorizes the Secretary of the Interior to suspend the time limits embodied in the law for the performance of certain acts where appropriate in cases where the entryman's ability to comply has been interfered with by floods and high waters.

This applies to persons who have filed homesteads or desertland entry applications with the Secretary of the Interior and who, because of the storms and floods, could not meet the occupancy, planting, or other time schedules required by law.

Section 5 authorizes the President acting through the Office of Emergency Planning to provide bank protection along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad would be vulnerable to washouts. The survey and supervision of this work will be performed by the Corps of Engineers, U.S. Army. The President, acting through the OEP, will be authorized under this section to make a survey of what protective works are needed for the necessary revetment work and report to the Congress within 60 days after the date of enactment of this act the results of such survey together with the cost of any recommended work. The President will be authorized to perform this work through the Office of Emergency Planning, where he deemed the work was necessary in the public interest. No appropriation, however, shall be made for any recommended work determined by the President to be in the public interest unless such work has been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively, after the consideration of the survey reports. Three million, eight hundred and seventy-five thousand dollars is authorized to perform this work of which it is estimated \$250,000 will be required for the survey and the balance of \$3,625,000 to provide the necessary protective works.

Briefly the situation is this: The railroad is the only common carrier serving the public which can handle the volume of timber and lumber transportation demanded by the industry in the region. The right-of-way runs for about 100 miles along the Eel River. Virtually all of the trackage was washed away and in many instances the streambank on which the rails were built disappeared. Total damage to the railroad exceeds \$10 million. We are asking that the Office of Emergency Planning, working through the Corps of Engineers, assist in the stabilization of the banks along the river to protect them from further erosion from high water or future floods.

Section 6 of the bill authorizes the Small Business Administration to allow the maturity date on loans, the maturity of such loans to be allowable from a 20- to a 30-year amortization period.

The total amount authorized under H.R. 7303 for this relief is \$111,875,000.

In many cases a person whose home has been destroyed or extensively dam-

aged is placed in serious financial straits. Although his resources may be very limited, he must find some means of financing replacements or repairs, and at the same time, continue meeting his existing mortgage obligations. Thus the Small Business Administration is often compelled to refuse a loan because the application cannot demonstrate ability to repay on a 20-year amortization basis.

Mr. Chairman, on behalf of the people of my home State of California and others throughout the Pacific Northwest, I want to express our deep appreciation for the concern already demonstrated by you and this Congress and by the President in responding so wonderfully to the needs of the people of these disaster stricken areas.

Passage of H.R. 7303 today will help these people tremendously as they walk the long, long road to recovery. These people, their local governments, and their State governments are doing everything humanly possible to recover from the heavy blows which they suffered in the Christmas week disaster. May we in the Federal Government continue our efforts in this direction.

Mr. Chairman, this proposed act is strictly an emergency measure. It will run through June 30, 1966. It is an emergency measure dealing with the flood disaster in the five Western States.

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I want to take this opportunity to commend the gentleman for his fine explanation of this important legislation, but more particularly to commend him and the committee, particularly the chairman, the gentleman from Alabama [Mr. JONES], for acting expeditiously to meet a very urgent problem out in our part of the country.

I want to additionally express my appreciation for their personal trip into the area during the time of the flood in making a personal inspection.

Mr. Chairman, this is important legislation. This was probably the greatest catastrophe that has hit the State of Oregon and the adjacent States for a century. It is most urgent and I commend the committee and urge the passage of the legislation.

I thank the gentleman for yielding.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of California. I would be glad to yield to the gentleman from Idaho.

Mr. WHITE of Idaho. Mr. Chairman, I would like to also compliment the gentleman from California on this legislation as prepared in its present form. I know it will be most helpful to my people in Idaho. But I would particularly like to indicate to the Members the high degree of cooperation that was exhibited by the Army Engineers and the Office of Emergency Planning at the time the disaster struck that portion of Idaho which it is my privilege to represent.

I suggest to the gentleman that these people are very appreciative of what is



being done today and what has been done up to this point.

(Mr. WHITE of Idaho asked and was given permission to revise and extend his remarks.)

Mr. JOHNSON of California. Mr. Chairman, I too want to thank the President of the United States, the Speaker of the House of Representatives, the chairman of the Committee on Public Works, and the chairman of the subcommittee for joining together in working out a piece of legislation after much consideration that resulted from this disaster, and I hope later this afternoon we will be successful in passing this legislation in the House.

(Mr. JOHNSON of California asked and was given permission to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Chairman, I yield myself 15 minutes.

(Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Chairman, I want to concur with the remarks of the previous speaker, the gentleman from California [Mr. JOHNSON] with whom I have had the privilege of working in the development of this legislation in conjunction with the Committee on Public Works, of which I am a member.

Mr. Chairman, following the onslaught of the once-in-a-thousand-year Pacific Northwest Floods of December 1964, the chairman of the full Committee on Public Works [Mr. FALLON], appointed a special Flood Control Investigating Subcommittee to visit the devastated sections of the Northwest to determine the adequacy of Public Law 875 for recovery and rehabilitation of the area, and further, to determine whether or not additional legislation was necessary to provide these sections of the country with an opportunity to return to normal living.

I cannot express my thanks deeply enough for the understanding shown by the Speaker, the committee chairman [Mr. FALLON], and the subcommittee headed by the gentleman from Alabama [Mr. JONES]. They, and the committee members accompanying us, and those listening to our story on our return, have shown a tremendous capacity for understanding human need and compassion for their fellowmen in times of dire emergency.

To those Federal agencies charged with providing emergency assistance, activated by the President's declaration of the area being a disaster area under Public Law 81-875, I give the heartfelt thanks of myself and the people in the area I have the privilege of representing in Congress. Everyone, from the Office of Emergency Planning, the Corps of Engineers, the Army, Navy, Marine, and Air Force, who transported people out of the danger area, helped distribute food, clothing, fuel, and so forth, to those marooned, performed magnificently. The Red Cross, the Civil Defense, the Federal, State, county and local governmental offices, in addition to many civilians, more than did their share to help out far above and beyond the call of duty—and we are grateful.

This once-in-a-thousand-year flood—considered among the most severe ever experienced in the entire life of our country—wreaked havoc in the States of California, Oregon, Washington, Nevada, and Idaho. My own district—the First Congressional District of California—was hit hardest of all areas we visited. Here whole towns were demolished by the rampaging, uncontrolled Eel and Klamath River waters—Klamath, Klamath Glen, Orleans, Myers Flat, Shively, Weott, Pepperwood, Stafford, T-Bar, and South Fork. Others—Scotia, Rio Dell, and metropolitan—were all hit hard. Industry in these areas was hit so severely that unemployment, affecting around 5,000 people, may prove an economic problem to resolve for months and even years.

Over 12,000 homes, affecting some 20,000 families were lost in the Pacific Northwest. Forty-five persons died in the flood and its tragic aftermath, and around 2,000 people were injured. Over 35,000 farms were flooded in California alone. Human suffering was intense and prolonged. Physical property damage, including homes, businesses, farms, transportation systems, et cetera, will run beyond the half-billion dollar mark.

Unusual weather conditions—a combination of strange circumstances—resulted in this tragic disaster. There was a heavier than average snowpack in the mountains. Below the snowline the ground had already been saturated by previous rain and then frozen by subfreezing temperatures. When this record rainfall came—24 inches in 3 days—and totaling over 30 inches in 9 days—it fell on what we might term greased skids. There was no place to go, so the water ran off the frozen, saturated ground.

One of the first casualties of the December storm and flood was the flood warning system, itself, in both Oregon and California. The storm broke communications and power lines. Electrically operated flood warning devices were put out of commission. Some of those still operating—with meters still recording—could not be transmitted to authorities before the communications lines went down. These weather gages are operated through normal power communication facilities. When the power lines and communications went out, these electrically operated gadgets stopped working. Little of the findings of those still in operation were of use, because the reports could not be transmitted since the telephone lines were out.

We have urged, and the Weather Bureau is working on an expanded and improved flood warning system, with the added proviso of emergency power sources, and wireless communications available in times of a similar emergency.

A short 30 hours brought discharges breaking all previous records. Most areas in the Pacific Northwest showed recorded peak flows 50 percent greater than previous highs.

The Eel River—which is uncontrolled—and for which there is a multiple-flood control project proposed—relentlessly swept over its banks, bringing death and destruction in its wake. To give you an idea of the volume of water

that was spent, I should mention that the flows reached 780,000 cubic feet per second at Fernbridge and 700,000 cubic feet per second at Scotia, as compared to a previous record of 560,000 and 540,000. The Klamath River record flow previously was 425,000. It rose to 500,000 cubic feet per second. On the Smith River, the flow rose from 165,000 to 200,000 cubic feet per second. The Mad River in my area also showed a raise from 78,000 cubic feet per second to 100,000.

I might mention here that while many of my colleagues from the Southwest are concerned about the lack of water, and where to go about getting it, we are faced in northern California with the problem of distributing an excess amount of water.

It is almost impossible to portray the waste and devastation laid bare by the Eel River. The Northwestern Pacific Railroad line was washed away, with sections of track uprooted, bridges and culverts half gone, heavy railroad cars rocketed about like pebbles on a beach. Sawmills were dislodged and moved, large sections of "cold deck"—stacked logs—were swept into streams and projected along like missiles to create further damage and debris. The harbor at Crescent City was log-jammed, hemming in the fishing fleet. Other harbors faced the same problem. Some logs from northern California streams were found halfway up the Oregon coast. The damage to the railroad line—100 miles of which were completely uprooted—runs beyond the \$12 million figure.

It will take at least a year, perhaps more, to repair the destruction to the transportation system, including the highways and the railroad line. At present, the commerce of the north coast area is suffering at the rate of approximately \$1 million a day, in counting some \$700,000 per week in local jobs and payrolls lost. The production of forest products, including plywood, some redwood and other lumber is our major industry. The damage to the railroad line has completely disrupted the forest products industry, as the bulk of these products are normally transported over the railroad along the Eel River Canyon, and from there across the mountains to the major rail terminal.

All communications by road or rail were cut off from the Eureka area, with the exception of very limited truck transportation. A little traffic was able to move over a temporary ferry thrown across the Klamath River. The only way that supplies could be brought in—food, clothing, fuel, and feed for the livestock—was by air, or by water. The Armed Services outdid themselves in standing ready for any emergency, any hour, and they deserve commendation. The aircraft carrier *Bennington* stood off the coast to provide a launching for planes and helicopters. Regrettably, seven lives were lost in a tragic helicopter crash.

Damages to primary and secondary roads in California, Idaho, Oregon, and Washington amounted to over \$25 million. Forest roads damaged in this same area will cost about \$31 million to repair.



There is no way yet to determine the extent of the millions of dollars of timber lost and destroyed. Millions of dollars of lumber were lost at sea, and many trees uprooted, broken, and blown over. This loss of timber, both standing and cut, will have a considerable effect on the economy of the area for years to come. For Nature to replenish this loss, it will take many, many years. The impairment to the economy may never be recovered.

National forest improvements were damaged to the extent of over \$52 million. Because of the impassable access roads, more than 2.6 billion board feet of national forest timber, included in 458 timber sales—will not be available at normal operating time. This has a direct impact on some 195 industrial plants employing 20,000 people, or more.

The Six Rivers National Forest, covering 36 percent of the Humboldt, Del Norte, and Trinity County areas in the northern California territory, sustained serious damage in excess of \$10 million. Fifty miles of Forest Service road will have to be relocated. Major construction repairs are required on 130 miles, and on 45 main crossings. Recreational areas, serving 68,000 visitors last year, were damaged to the extent of \$168,000. Most of the spawn in 1,400 miles of fishing streams were killed by silt, debris, et cetera. Considerable debris will have to be removed to allow anadromous fish access.

All available flood control reservoirs, small irrigation reservoirs, completed flood control State and Federal systems were brought into the maximum of use. The damages saved in a few days by projects already in service run from \$750 million to \$1 billion. Some projects paid for themselves during this flood. Most of the damages occurred in areas where there is only partial, or no flood protection. I am sure this will be vividly brought to your attention when the projects authorization bill comes before the House. You will know why my district will be well represented in the bill.

Almost \$200 million in damages occurred in the valleys of northern California coastal streams, largely in the Eel and Klamath Rivers, and another \$50 million on the Rogue and Umpqua Rivers in Oregon, where there are no major flood control projects.

On the credit side of the ledger, California's Sacramento River levee and bypass system prevented damages of over \$150 million for the fourth time in less than 10 years, and the Shasta and Folsom Reservoirs saved about \$85 million more. The State's partially completed Oroville project prevented considerable flood damage.

In Oregon, seven flood control reservoirs in the Willamette Basin saved half a billion dollars of damage. Existing reservoir storage in the Willamette and Columbia River Basins and Corps of Engineers floodwalls spared Portland. Eugene and Salem, Oreg., Vancouver, Wash., and Reno, Nev., were saved considerable damage by flood control systems. I am stressing this to give you an idea of the worth of some of these flood

control projects. They have proven themselves time and again.

I know this flood and its devastating after effects have been off the front pages for a long time. People tend to forget about these things. After all, these floods occurred in December, January, and February. That is months ago. But there does come a time when we have to clean up the havoc wrought by a natural disaster. It is a financial problem. Everyone has been working like beavers—and I might add here that I have a tremendous admiration for the courage and will of the people in this area—adversity does not get them down for long. A lot of time, effort, and money is being spent. But we have got to take care of some of these emergency costs by necessary legislation. Our bill—H.R. 7303—Congressman JOHNSON of California's and mine—would provide the necessary remedial relief.

You will note, Mr. Chairman, that there is a considerable similarity between this bill we have here, and the remedies provided in the Alaskan earthquake assistance bill.

Running briefly down the bill, section by section, to clarify the provisions:

Section 1: This section of the bill merely recognizes the extensive property loss and damage experienced during December 1964 and January and February of 1965, and points out that much of the area affected is federally owned and administered and recognizes that the very livelihood of the people rests on the restoration of transportation facilities. It is simply a declaration of congressional intent for the need of special measures designed to assist and facilitate reconstruction.

Section 2: Provides additional authorization for Federal-aid highway systems. Increases funds to \$50 million for fiscal 1965, and up to \$20 million for fiscal 1966, under section 125, of title 23, United States Code, for repair and reconstruction of highways, roads and trails, on a countryside basis, damaged by natural disaster.

Section 3: Provides for the reconstruction of timber purchase roads. Assistance would be provided to get logging underway by granting authorization to the Secretaries of Agriculture and Interior to reimburse timber sale contractors for reconstruction and restoration of roads under construction, but not yet accepted by the Government at the time of the onslaught of the rising flood waters.

Section 3-A: Would supersede existing timber sale contracts now forcing purchaser to absorb entire access road loss, and substitutes a cost-sharing ratio. The purchaser would bear up to 15 percent of the costs, up to \$4,500, and the Government would bear 85 percent of the costs and 100 percent of all amounts above \$30,000 in a single timber purchase contract.

Section 3-C: This section stipulates that the additional \$38 million shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho.

Section 3-D: Would authorize the Secretary of Agriculture to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the flood-affected area.

Section 4: Insures public land entrymen additional time to comply with the requirements of the law in the disaster area because of interference with ability to comply with requirements due to flood damage.

Section 5: Would authorize the President, through the Office of Emergency Planning, to provide bank protection, in the public interest, along the Eel River in certain areas where the adjacent trackage of the Northwestern Pacific Railroad is susceptible to washouts and other possible floods. The survey to be completed within 60 days, and the work to be performed by the Corps of Engineers. The President is also authorized to see that the work is done, again through the OEP, and to reimburse the railroad company for any of the recommended work already performed by such company, the work to be approved by the Public Works Committees of the House and Senate.

Section 6: Amends the Small Business Administration Act to allow maturity of loans up to 30 years.

Section 7: With the exception of section 5—the railroad section—and amendment by section 3-C—forest development trails—the act shall expire June 30, 1966, with the additional exception for payment of expenditures for obligations and commitments entered into prior to June 30, 1966.

Speaking for the minority members of the Public Works Committee, not only as a result of the special subcommittee field inspection trip, but also from personal knowledge and firsthand experience as a result of considerable work in the area, I thoroughly agree with the conclusion of the committee that these additional measures are required to insure prompt relief to the Pacific Northwest disaster area.

To facilitate a return to normal living in the area, and to help bring about economic recovery, the Public Works Committee, of which I am a member, wholeheartedly recommends enactment of H.R. 7303.

The minority members of the Public Works Committee agree with the findings of the committee, and respectfully urge the concurrence and approval of the House.

Thank you, Mr. Chairman.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. DON H. CLAUSEN. I yield to the gentleman from Missouri.

Mr. CURTIS. I just went down to get a copy of the hearings, and apparently they are not available. I thought there were hearings on this matter.

Mr. DON H. CLAUSEN. There are copies of the hearings.

Mr. CURTIS. Where are they? This is getting to be rather typical of matters we have to consider.

I have another question. From reading the committee report I find that practically every agency reporting on this bill had various objections. Most of



the reports from the executive department pose objections to portions of the bill, and on the other hand, I notice that the bill itself has been completely stricken and new language put in. I ask whether the new language, as written, is approved by the various departments.

Mr. DON H. CLAUSEN. As the gentleman has stated, the original bill, on which department reports were requested, has been supplemented by the new language in H.R. 7303. As I understand the situation, the bulk of the language in the new bill was to satisfy the points raised by the departments.

Mr. CURTIS. I believe it should be stated somewhere by the committee whether the objections raised—and some of them are very serious objections by the various departments—have been met, and whether the new language does conform and whether the departments now approve. I notice the chairman of the subcommittee is nodding his head. I wonder if we could have that clarified.

Mr. JONES of Alabama. Mr. Chairman, in order to satisfy the gentleman from Missouri [Mr. CURTIS] I will say that in the consideration of the bill H.R. 7303 the objections raised by the various agencies were substantially satisfied through discussions with the affected agencies.

On the question of the hearings, there were exhaustive field hearings held in the Pacific Northwest. Further hearings were held in Washington and printed copies of these hearings will be available shortly. I can also assure the gentleman from Missouri that this bill has been as carefully considered as I know how in order to meet the needs and requirements of an area which had suffered devastation and destruction brought about by the ravages of the flooding which occurred in that area.

Mr. CURTIS. I want to make one other point. I appreciate what the gentleman is saying and I want to get to the gist of my concern. The administration in several of the letters here recommends that this legislation should be on a general basis and applicable to all States rather than on a disaster-by-disaster basis and recommends that there should be amendments to the permanent law, which strikes me as being very reasonable. Apparently, though, this is another piece of legislation on a disaster-by-disaster basis. That is my concern.

Mr. JONES of Alabama. I would like to say to the gentleman that we have no standards to guide us, nor any past history to use as a basis for the consideration of legislation in regard to each one of these unusual flood control situations. I am quite sure the gentleman recalls along with me the disasters which occurred in 1951 in Kansas and Missouri.

Mr. CURTIS. That is correct.

Mr. JONES of Alabama. As a result of that, the Congress appropriated some \$35 million for relief of the affected areas. We do not have any firm guidelines. Each flood presents very unusual and unique problems which require legislation tailored to meet the type of damage suffered. For that reason, it is most difficult to have a uniform approach and to use guidelines which can

be employed to cover every given circumstance.

Mr. CURTIS. What I read from are the words of the OEM at the time I brought this to the gentleman's attention.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. CRAMER].

(Mr. CRAMER asked and was given permission to revise and extend his remarks.)

Mr. CRAMER. Mr. Chairman, I take this time in the hope that perhaps I can answer some of the questions that have been raised and to satisfy the House on some of these questions.

The investigation of this matter dealt with the Northwest flood situation and involved an on-the-site inspection by the members of the Committee on Public Works and the special subcommittee designated to go there. The same situation will prevail in the inspection of the Mississippi River basin flood area. Based on the findings of that committee which made the on-site inspection, reports were made to the Subcommittee on Flood Control of which the distinguished gentleman from Alabama [Mr. JONES] is chairman. The reports of the departments were made.

I, too, had some reservations about this bill as it was introduced, and as it relates to those reports. I will say to the House that as a result of those reservations the bill was in effect redrafted by both the majority and the minority with the express purpose in mind of trying to do something about the objections which had been raised and in order to write language into this legislation so as to meet many of those objections.

I had some reservations initially. My reservations have been largely taken care of by the language written into the bill and as it relates in particular to the Eel River flooding problem in section 5. The committee wrote in on my request language to the effect that a finding has to be made before Federal money can be spent, that this work is in the national public interest. In other words, it has to be a proper Federal function. With that language in the bill it is a much more satisfactory bill. There is no intention to set any precedent that could be construed as emergency "act of God" Federal aid going to private enterprise, the present law making such aid available only for public—as compared to private—projects.

Second, as it relates to the areas affected, the largest cost of the bill relates to highway construction under section 2 which is a nationwide program. That provides for additional funds that are presently being authorized at \$30 million to be used annually for the purpose of rehabilitating highways destroyed by acts of God in areas declared to be national emergencies. What this does, in view of the tremendous amount of damage done—and it appears there is going to be much more, the Mississippi River area being an example of natural causes by acts of God—is that it will be necessary to increase that authorization above the presently existing \$30 million. So the largest cost of the bill is an additional

\$50 million for 1965 which was recommended by the Departments involved, that is, that additional funds be made available, and \$20 million in additional funds for 1966.

As to a continuing program. I agree with the gentleman from Missouri that it is a problem to have to act on these disaster area questions, disaster area by disaster area, and not on a national basis of money available for disaster areas.

I am hopeful that eventually Congress will be able to meet that problem with long range disaster area legislation. In my opinion, this is a good bill and deserves the support of the House. It is my hope that it will pass substantially as written.

Mr. DON CLAUSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. WYATT].

(Mr. WYATT asked and was given permission to revise and extend his remarks.)

Mr. WYATT. Mr. Chairman, I would like to commend the gentlemen from California [Mr. JOHNSON and Mr. DON CLAUSEN] and members of the committee who have worked so long and faithfully on this bill and I wish to associate myself with their remarks.

Mr. Chairman, my congressional district is the northwest corner of the State of Oregon extending from a point at the mouth of the Columbia River on the Pacific Ocean easterly along the Columbia River to the city of Portland and south of the city of Portland approximately 100 miles and thence west to the Pacific Ocean again. My district was extremely hard hit by the storms and subsequent floods of December 1964 and January 1965.

I am personally familiar with the torrential accompanying storm and flood which occurred in December since I was in my district until January 1 and had the opportunity to personally witness much of the devastation. Likewise, I personally am very familiar with the damage which was done to our forest land roads and to our agricultural community and to our many, many private individuals who were wiped out because in the middle of February I made a personal helicopter inspection tour for 2 days of the area affected and talked to many, many of my constituents in the district.

#### WEATHER CONDITIONS

To fully recognize the unique combination of natural conditions which resulted in this great tragedy, I should point out that during the period December 19 to 27 the precipitation in the area was 200 percent or more of average. The rainfall far exceeded that for any previous December. However, before the abnormally heavy precipitation we had had an unusually large amount of snow in our area and the ground was frozen. This combination of warm rain falling on frozen ground and snow resulted in the greatest winter flood on record in western Oregon. The rain itself resulted in terrific runoff. It melted snow which added to the terrific runoff. But perhaps the most crucial factor of all was the fact that the ground was frozen and, hence, unable to absorb any



of this moisture and the runoff resulted. To give a more meaningful comparison I might say that the magnitude of our disaster was comparable to the disaster occasioned by the Alaska earthquake and tidal wave.

A committee report details the great and unrecoverable loss to people of the State of Oregon and other affected areas. The Federal agencies within their means for the large part responded swiftly and the State of Oregon, led by Governor Hatfield, magnificently coordinated the activities of the Federal agencies and the local government agencies to minimize the damage and to commence the rebuilding job.

#### OREGON TIMBER INDUSTRY

The forest industry of Oregon employs 80,000 people with an annual payroll of nearly \$470 million. The industry generates directly 60 percent of the State's economy. The Federal Government owns two-thirds of the timber in Oregon and the timber industry is the Government's only customer for its annual timber harvest under the sustained yield forestry. As part of the industry's timber purchase contract with the Government, in Oregon alone the industry builds roads worth \$27 million annually in national forests and \$9 million annually on the lands administered by the Bureau of Land Management.

#### EFFECT ON ECONOMY

When last winter's floods hit hundreds of Government timber purchasers had roads in all stages of construction. Slides, washouts, and high water damage destroyed hundreds of miles of such roads, thousands of culverts, hundreds of bridges, and removed surfacing everywhere. The terrible destructive power of this flood was beyond imagination. Because it is necessary to keep logs rolling from these Government-owned properties, unless prompt relief is granted the disaster will spread geometrically on the economy of the States involved unless money is made available—and promptly—to restore forest roads damaged and destroyed.

#### LANDOWNER'S RESPONSIBILITY

The Government, as a landowner, should have the landowner's responsibility. Federal timber purchasers who build roads as part of their contract should be in the same position as Government highway contractors who are not liable for damage to the roads they build for the Government when such a damage is caused by acts of God or other things beyond their control. Some Government timber sale contracts will provide for the Government's responsibility in this case starting July 1 this year and it is hoped that all of them will. This legislation is needed to correct this inequitable situation as it presently exists under the law. This act merely recognizes that the Government has inherent risks as a landowner just like a private landowner when an act of God damages a landowner's property, he sustains the losses.

These losses are substantial and by way of an example I can refer to one sale on the Mount Hood National Forest

in Oregon where in connection with this one sale a road 2.8 miles long was to be built at an estimated cost of \$21,139. The road was 90 percent completed at the time of the storm but because of the culverts and fills washed out it will be necessary to replace a bridge at an estimated cost of \$78,000. The fact of the matter is that unless this legislation is passed, many of these roads simply will not be built because the operators are financially unable to do so.

A major catastrophe to our economy will result in our State where 60 percent of the economy depends upon the forest industry. If we do not haul logs our plants are shut down and our people are out of work. The basic payroll in our industry, which is in excess of \$470 million a year, is felt in every kind of business in our State because this basic payroll generates the economy.

Log inventories are way down below average. This legislation is late but it will still cure and help save Oregon's economy. The Federal Government in the long run will benefit because if this legislation is not passed the disastrous effect upon our entire economy will eventually cost the Government much more than is involved here in relief legislation and in loss of tax money.

I urge in the strongest possible language the immediate passage today of this emergency legislation.

Mr. DON H. CLAUSEN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Washington [Mrs. MAY].

(Mrs. MAY asked and was given permission to revise and extend her remarks.)

Mrs. MAY. Mr. Chairman, I rise in support of H.R. 7303, the Pacific Northwest Disaster Relief Act of 1965, and I wish to commend the committee for great interest and zealous study they gave to the severe damage caused in the Pacific Northwest, including sections of the Fourth Congressional District of the State of Washington. Because of the urgency of the situation, I joined in co-sponsorship of the legislation pending before the Public Works Committee early last month.

The unprecedented floods last winter caused severe damage along the lower Columbia River and its tributaries amounting to an estimated \$57 million.

Three counties in my district which border the Columbia and Snake Rivers were especially hard hit and I visited some of the most severely damaged areas during the Easter recess of Congress and can report to my colleagues it will be some time yet before the people of these areas recover.

In one county alone, that of Walla Walla, damage to county roads is estimated at \$1½ million. Similar reports have been made to me from Klickitat County, and the damage was also great in Columbia County.

I can assure my colleagues that the provisions in the legislation before us increasing the emergency fund of the Bureau of Public Roads for highway repair are desperately needed in the State of Washington.

The emergency repair of forest roads in my State, where we are so heavily dependent upon the forest products industry, is also a matter of great urgency. Again I wish to commend the committee for its diligent attention to a problem of such vital necessity to all of the Pacific Northwest.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentlewoman from Oregon [Mrs. GREEN].

(Mrs. GREEN of Oregon asked and was given permission to revise and extend her remarks.)

Mrs. GREEN of Oregon. Mr. Chairman, first of all may I express my deep gratitude to the chairman of the full committee and the chairman of the subcommittee, the distinguished gentleman from Alabama [Mr. JONES], for the way in which they have handled this legislation and for bringing it so promptly to the floor. It will give great encouragement to not only the people of my district and the entire State of Oregon but also the other States that suffered such tremendous damage from natural disaster.

Mr. Chairman, my State, the State of Oregon has over 26.6 million acres of commercial forest land on which there are some 451 million board feet of standing timber. Converted to lumber, it has been said, that this would be enough to completely rebuild every residence in the Nation with enough left over for schools and hospitals.

Yet, with this almost incomprehensible supply of timber available, a survey made in early March revealed 15 mills were on the verge of closing their doors because they did not have sufficient lumber to meet production needs.

What a paradox. It sounds impossible, but let me assure you it is not. The trees are in the forest and the mills are in the towns; and in between there is, instead of the forest access roads necessary to carry workmen to the timber and logs to the mills, a twisted labyrinth of mud and slime left as a solemn reminder of the horrible calamity which made Christmas week a time of sorrow for many of the people of my State.

Memories will recall not only the washing away of virtually all access roads to our great forest region, the rendering useless of 4.1 million additional acres of recreation and water production area, the inundation of millions of dollars worth of highways and rail lines, the total destruction or serious damage to over 120 major and minor bridges, the destruction of \$55 million worth of farm resources and the general disruption of the State's economy, memories will also recall the 18 loved ones who lost their lives and the thousands, yes, thousands of families who were left without homes.

Nature dealt my State a severe blow. A 200-percent increase in the region's rainfall for the period from December 19 to 27 mercilessly pelted down upon the frozen earth to unleash literally oceans of water to swell the State's waterways from their riverbeds to a course which carried them through the homes and property of Oregon's people.



And my State was far from being the only area struck. In their misery, Oregonians shared heartache and tragedy with people of their neighbor States of California, Idaho, Washington, and Nevada.

The misery of the people of those States combined with that of Oregon is currently being given a dollar price tag of more than \$574 million. That is an impressive figure. In fact it could not be more impressive if it were 10 times that for the simple reason that it is already more, far more, than the stricken individuals, businesses, and communities can afford to pay for restoration of their resources.

For that reason, Mr. Chairman, I am here today with my colleagues from the other stricken areas to ask for help from the Federal Government. That, in simple terms, is the purpose of the legislation before the House today. H.R. 7307 is a request from the people of Oregon, California, Idaho, Washington, and Nevada to the people of the rest of this great Nation to extend a helping hand.

This helping hand will, when this bill is passed, come in the form of increased appropriations to the Bureau of Public Roads to enable that Agency to furnish a part of the funds necessary to reconstruct the access roads to our forests from which 80,000 Oregonians derive their livelihood and upon which 60 percent of Oregon's economy is based.

It will come in the form of an extended home-loan repayment period to enable the homemaker to rebuild his home in spite of the fact that his financial resources were so completely wiped out that he would not be able to repay a loan within the normal repayment period.

It will come in the form of increased highway appropriations to aid in restoring the vital arteries of transportation which connect the disaster area's people and industry with the rest of the Nation.

It will come in the form of foundation restoration and protection along the rail lines of northern California to safeguard the partial reconstruction investment of \$5,600,000 already made by the Northwestern Pacific Railroad, an investment which when completed will total more than \$15 million.

It will come in the form of emergency timber bidding regulations enacted by the Forest Service.

And it will come in the form of a declaration of the Members of this Congress that the representatives of all the people of our great Nation know and are concerned with the plight of these unfortunate thousands.

It will say to the people of Oregon, Idaho, California, Washington, and Nevada that we are eager to see the mills of the Northwest return to full production, eager to see their vital wood products return to the production lines of the countless national industries who depend upon these wood products for their own livelihood, eager to see flood victims rebuild their homes and unemployed workers return to their jobs.

It will say to the people of my State and the other States who suffered from uncontrolled nature that awful Christmas week last year that we remember

how they individually and collectively sent their barges of clothes and other emergency goods to their sister State of Alaska when its people felt the crushing blow of a devastating earthquake.

And, while this bill is directed toward speeding the reconstruction of the Northwest, it is not without relevance to a similar and more recent tragedy suffered by the people of our midwestern region. What we do today for the Northwest will give encouragement to our fellow citizens in the Midwest through the knowledge that help for them is on its way.

It will say that what happens to one of us happens to all of us today and in the future.

For these reasons, Mr. Chairman, I urge my colleagues to take prompt action today to join with the members of the stricken areas in supporting this truly good samaritan legislation.

Mr. DUNCAN of Oregon. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Oregon.

Mr. DUNCAN of Oregon. Mr. Chairman, personally, on behalf of my congressional district in southwestern Oregon, and I am sure I can speak on behalf of the entire Pacific Northwest, I would like to express our gratitude to this body for the support I know it will give to the Pacific Northwest Disaster Relief Act of 1965.

We commend and thank the special subcommittee, and its chairman, the distinguished gentleman from Alabama [Mr. JONES], for their special efforts in expediting this legislation and interrupting their busy schedules by traveling to the Northwest to observe and inspect the results of the devastating Christmas week floods.

We are aware of, and grateful for, the efforts of my neighbors to the south, Mr. JOHNSON and Mr. CLAWSON, for their untiring efforts in support of this legislation, and for so ably championing the bill this afternoon. I hope their constituents are likewise alerted to their service to their respective districts.

We would be remiss if we did not take special note of the support and assistance of our distinguished Speaker, Mr. McCORMACK, as we had not only his "heart," but his "hand" as well, in getting this emergency legislation to the floor.

As so often happens when disaster strikes, private losses of this magnitude mount so rapidly that they are transformed into a public loss. This is especially so in an area, such as the Northwest, where the entire economic area pivots around a single industry, in this instance the harvesting and manufacture of wood products, and the countless supporting and allied industries. Whenever there is a substantial delay in moving raw materials from the woods to the mills, the Northwest is in serious economic difficulties.

I would want also to point out that the local units of government have been and will continue to contribute to the restoration of their portion of our transportation networks. The damage to local, State, county and city roads and bridges will run into the millions of dollars.

Bringing this part of the road system, and each part is as important as the remainder, up to the preflood standard will tax the facilities of the local governments to the breaking point especially in the face of reduced revenues resulting from this same disaster.

The imperfections of this legislation and the general disaster legislation already on the books, the recent calamities that have struck the Midwest, the earthquake in Alaska and others leading back into history, all indicate that sooner or later we are going to have to face up to the problem of solving these recurring losses to private property by some form of natural disaster insurance. Disaster follows disaster too rapidly to handle each on an ad hoc basis. While I would not detract one iota from the well deserved credit that belongs to the agencies of the Federal, State, and local governments, as well as the Red Cross and countless other groups and individuals all of whom responded quickly and effectively with emergency assistance.

Special legislation on a case-by-case basis is neither far reaching enough nor speedy enough to do the job that needs to be done.

To all of you representing all parts of this great country, we, of the Pacific Northwest, say thank you for the assistance provided in this legislation.

(Mr. DUNCAN of Oregon asked and was given permission to revise and extend his remarks.)

Mr. JONES of Alabama. Mr. Chairman, I yield to the gentleman from Indiana [Mr. ROUSH] such time as he may consume.

[Mr. ROUSH addressed the Committee. His remarks will appear hereafter in the Appendix.]

(Mr. JONES of Alabama asked and was given permission to revise and extend his remarks immediately following the remarks made by the gentleman from Maryland, Mr. FALLON.)

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Does the gentleman from California have any further requests for time?

Mr. DON H. CLAUSEN. I have no further requests for time, Mr. Chairman.

The CHAIRMAN. There being no further requests for time, pursuant to the rule the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.*



SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads and accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the

reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively. The Corps of Engineers of the United States Army shall be used to make the survey authorized by the section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Mr. JONES of Alabama (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and be open to amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the

Union, reported that that Committee, having had under consideration the bill (H.R. 7303) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, pursuant to House Resolution 388, reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 388, the Committee on Public Works is discharged from further consideration of the bill, S. 327.

The Clerk read the title of the bill.

AMENDMENT BY MR. JONES OF ALABAMA

Mr. JONES of Alabama. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Alabama: Strike out all after the enacting clause of S. 327 and insert in lieu thereof the provisions of H.R. 7303, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. JONES of Alabama, the title of the bill was amended so as to read: "An act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 7303) was laid on the table.

#### GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### COMMITTEE ON RULES

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.



## COMMITTEE ON BANKING AND CURRENCY

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight Thursday to file a report, with minority views, on H.R. 9874, the housing bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## MISSISSIPPI COMMEMORATION

(Mr. RYAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, June 21 will be the anniversary of the death of three courageous Americans who dedicated their lives to freedom. The brutal murder of James Chaney, Andrew Goodman, and Michael Schwerner awakened the Nation to the systematic racial disenfranchisement in Mississippi. The sacrifice of these three young lives has been a major factor in bringing the voting rights bill before Congress.

Mr. Speaker, America owes a debt of gratitude and honor to the courage and dedication of these young men. A committee of distinguished Americans has called upon the citizens of New York to establish a commemorative period for the week following June 21 to honor James Chaney, Andrew Goodman, and Michael Schwerner. I wholeheartedly endorse this call and wish to bring it to the attention of my colleagues with the hope that they will join with me in endorsing the call for a commemorative period.

I include the call at this point in the RECORD:

COMMITTEE TO ISSUE A CALL FOR ESTABLISHMENT OF A COMMEMORATIVE PERIOD FOR THE WEEK FOLLOWING JUNE 21, TO HONOR THE THREE BOYS MURDERED IN MISSISSIPPI IN 1964

We the undersigned, do hereby form ourselves into a committee for the purpose of commemorating the anniversary of the ordeal and deaths of the three boys who sought to bring equality and personal freedom to the oppressed citizens of Mississippi: James Chaney, Andrew Goodman, and Michael Schwerner. We call upon all citizens of New York to make special efforts to observe the period beginning June 21 and culminating June 28, 1965. It is fitting that we, as citizens of New York, observe this period as one of great historic import to the struggle for the rights of all citizens, everywhere, and that we honor the memory of those past, present, and future, who are risking their all so that we may benefit with a brighter, more secure future. We urge the executive branches of government, both on the State and municipal levels, to take appropriate action for the creation of a truly significant commemorative period during the month of June. We urge our congressional delegation in Washington, D.C., to take the appropriate action to bring the focus of attention on this period and the appropriate activities set to take place. We urge the industry and the retail stores of New York to participate with local government in the display of photographs of the murdered boys. We urge that both government and private industry make special efforts to participate significantly in

a schedule of special ceremonies to mark this period.

Committee: Mr. James Farmer, Miss Lisa Howard, Mrs. Newman Levy, Mr. Andrew Norman, Mr. Marvin Rich, Mr. Jackie Robinson, Mr. Jack Shor, Mr. David Susskind, Miss Pauline Trigere, Mr. Robert Wechsler, Mr. Gerald Zipper.

## MISSISSIPPI CHALLENGE

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, on January 4, 1965, when I objected to swearing in the 5 Representatives-elect from Mississippi, 149 Members of the House voted against seating them because of the systematic disenfranchisement of Negro citizens in the State of Mississippi. Mississippi Negroes are still being denied the right to vote. Under title 2, section 201, et seq., United States Code, the statutory challenge to the Mississippi delegation continues.

On May 17 the Mississippi Freedom Democratic Party held a press conference to announce the filing of more than 600 depositions with the Clerk of the House in support of the challenge to the Representatives from Mississippi. The announcement of the filing of the depositions should remind the House that the House will be called upon to take final action upon this vital matter. The Reverend Martin Luther King said:

The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States.

That test will come. After the record is printed, the matter will be referred to the House Administration Committee. Under the Rules of the House the House Administration Committee should report to the House by July 4 of this year.

Mr. Speaker, we must not fail to meet our responsibility. There is no question that Negroes were unconstitutionally disenfranchised in the 1964 Mississippi congressional elections and that those elections were unconstitutional. The only remedy under the Constitution is for the House to deny the beneficiaries of illegal elections the right to sit in the House.

In anticipation of the day when we will be called upon to make our judgment, I wish to bring to the attention of my colleagues the statements of Dr. Martin Luther King; James Farmer, National Director of CORE; John Lewis, chairman of the Student Nonviolent Coordinating Committee; and Lawrence Guyot, chairman of the Mississippi Freedom Democratic Party, which were delivered at the press conference on May 17.

The statements follow:

STATEMENT BY DR. MARTIN LUTHER KING, MAY 17, 1965, WASHINGTON, D.C.

Today, on the 11th anniversary of the historic Supreme Court decision outlawing segregation in the public schools, the Mississippi Freedom Democratic Party has filed with the Clerk of the House of Representatives the more than 600 depositions taken in support of the challenges to the seating of the entire congressional delegation from Mississippi. This indeed is a momentous and historical moment. I wholeheartedly

support as I have from the beginning, these challenges.

The unseating of the Mississippi Congressmen will be the test of the moral integrity of the Congress of the United States. The weakening of the voting bill by the Senate's shameful action in stripping away the anti-poll-tax provision makes it absolutely imperative that the House of Representatives does not waiver in its obligation to unseat the Congressmen. The unseating will make any voting bill meaningful.

I, therefore, again pledge myself and the Southern Christian Leadership Conference to the fullest support of the challenges of the Mississippi Freedom Democratic Party and call upon all Americans to join with me in this commitment.

STATEMENT OF JAMES FARMER, NATIONAL DIRECTOR, CORE

CORE unequivocally supports the historic challenge of the Mississippi Freedom Democratic Party and calls for a great coalition of civil rights, political and civil organizations and individuals to join this struggle. CORE pledges its fullest support of MFDP on this 11th anniversary of the Supreme Court decision outlawing segregation in the public schools.

The chronicle of brutality to be presented today in these petitions has no equal in the parliamentary history of our Nation. These are real voices of the real Americans who have been bloodied and even murdered in their efforts to exercise the right to vote.

As we take these depositions to the Congress, I ask of the Congress fast remedial action and the rejection of the regular Mississippi congressional pretenders who have been elected on a platform of blood and disenfranchisement.

CORE is prepared to take whatever steps may be necessary to support this challenge. Discussions are underway as to a schedule of massive demonstrations if the Congress fails to act and act quickly. These demonstrations will be in large part directed at Congressmen across the Nation who have opposed this challenge. For example, on June 20, a major demonstration is planned for Brooklyn, N.Y., calling attention to Congressman EMANUEL CELLER and the Brooklyn congressional delegations vote against the fairness resolution on January 4, 1965.

As to the voting rights bill before Congress at this moment, these depositions bear tragic witness to the need for this bill—and more specifically to the need for a bill with real legislative and judicial teeth.

STATEMENT BY JOHN LEWIS, CHAIRMAN, THE STUDENT NONVIOLENT COORDINATING COMMITTEE, MAY 17, 1965, WASHINGTON, D.C.

The issues raised by the Mississippi Freedom Democratic Party challenge to the congressional delegation from Mississippi go to the heart of Negro exclusion from the political processes in Mississippi and the South.

The questions of the challenge goes beyond the processes of registration. It goes to the issue of actual participation in elections and the political processes. It is entirely possible that the mere fact of being registered—thereby qualified—to vote will not enable Negroes in Mississippi to actually vote since economic intimidation and violence will still be available to those who are opposed to Negro voting.

The challenges are based specifically on the lack of Negro participation in the elections of November 1964. The evidence covered by the depositions given cover not only obstruction to registration, but the acts of economic harassment and violence that are also used as a matter of policy by the State. It is only when the Congress unseats the Mississippians and calls for and conducts free and open elections in Mississippi for these seats that the Negroes in the State







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

Issued May 21, 1965

For actions of May 20, 1965

89th-1st; No. 91

### CONTENTS

Acreage allotments.....2	Farm program.....22	Poverty.....13
Adjournment.....26	Farm workers..20,23,31,40	Public works.....49,55
Agricultural	Feed grain.....39	REA.....18
appropriations.....8,47	Food and drug.....42	Recreation.....6,10
Appropriations..8,25,37,47	Foreign aid.....12,25	Research.....41
Atomic energy.....17	Foreign trade.....19	Retirement.....43
Budget.....37	Forestry.....6,9,36	River basin.....52
CCC grain.....28	GSA.....30	Saline water.....41
Civil service.....7	Highways.....54	SCS.....3
Committee assignments....7	Housing.....11,35,48	Strawberry harvest.....23
Conservation.....3	Item veto.....37	Tax commission.....45
Cooperatives.....38	Lands.....36,52	Tobacco.....2
Cotton.....4	Legislative program...25	Transportation.....53
Credit.....46	Marketing.....32	Under Secretary.....30
Dairy.....14	Meat imports.....16	User fees.....3
Disaster relief....1,27,39	Milk.....44	Wages.....20
Economic development...49	Nominations.....30	Water resources.....5,33
Education.....15,29	Opinion poll.....21	Wildlife.....33
Electrification...18,34,38	Personnel.....24,43	Wool.....50
Extension work.....29	Pollution.....6	

HIGHLIGHTS: See page 6

### SENATE

1. DISASTER RELIEF. Concurred in the House amendments to S. 327, to provide assistance to Calif., Ore., Wash., Nev., and Idaho for the reconstruction of areas damaged by recent floods and highwaters (pp. 10726-7). This bill will now be sent to the President. See Digest 90 for a summary of provisions of this bill.



2. TOBACCO. Passed without amendment H. J. Res. 436, to permit tobacco farmers who have entered into a lease for the transfer of 1965 tobacco acreage allotments an additional 20 days after enactment of this joint resolution to file such leases with their local ASC county committee (p. 10725). This bill will now be sent to the President.
  3. SOIL AND WATER CONSERVATION. Sen. Proxmire inserted a National Farmers Union policy statement supporting increased "funds for the SCS and ACP in keeping with conservation needs inventory," and expressing opposition to "the Budget Bureau proposal for Congress to authorize a revolving fund through which soil conservation districts and farmers and ranchers would pay the Federal Government a part of the costs of technical assistance." pp. 10660-1  
Sen. McGee inserted an American Forests magazine editorial critical of the proposed cut in "the technical assistance program of the Soil Conservation Service by \$20 million." pp. 10665-6
  4. COTTON. Sen. Yarborough criticized the proposed changes by this Department in the rules relating to skip-row planting of cotton and stated that "this is an indefensible move by the Secretary of Agriculture to curtail cotton production by using his powers to issue regulations rather than taking the proper course of coming to Congress with a new program for cotton." pp. 10689-90
  5. WATER RESOURCES. Conferees were appointed on S. 1229, to provide uniform rules for the treatment of recreation and fish and wildlife benefits and costs in connection with Federal water resource projects of the Corps of Engineers and the Bureau of Reclamation (pp. 10724-5). House conferees have not yet been appointed.
  6. POLLUTION. Sen. Clark inserted a series of articles on the "increasing pollution of his environment by man," including one reviewing recreational facilities in National Parks and Forests. pp. 10710-21
  7. COMMITTEE ASSIGNMENTS. Assignments were made to the various subcommittees of the Post Office and Civil Service Committee. p. D427
- HOUSE
8. AGRICULTURAL APPROPRIATION BILL, 1966. The Appropriations Committee reported this bill, H. R. 8370 (H. Rept. 364) (p. 10795). Attached to this Digest is a copy of the committee report which includes a summary table reflecting committee action on the bill.
  9. FORESTRY. Passed with amendment S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho, after substituting the text of a similar bill, H. R. 5798, which was passed earlier as reported from committee. H. R. 5798 was tabled. pp. 10740-1
  10. RECREATION. The Interior and Insular Affairs Committee reported with amendment H. R. 89, to authorize establishment of the Tocks Island National Recreation Area, Pa. and N. J. (H. Rept. 360). p. 10795
  11. HOUSING. Rep. Ryan commended and inserted "Statement on Federal Housing Bill of 1965 From Strycker's Bay Neighborhood Council, New York." p. 10768
  12. FOREIGN AID. The Rules Committee reported a resolution for consideration of H. R. 7750, the foreign aid authorization bill. pp. 10741-2



mitigating damages to migratory waterfowl caused by such water resources project.

(d) This Act shall not apply to the Tennessee Valley Authority, nor to projects constructed under authority of the Small Reclamation Projects Act, as amended, or under authority of the Watershed Protection and Flood Prevention Act, as amended.

(e) Sections 2, 3, 4, and 5 of this Act shall not apply to nonreservoir local flood control projects, beach erosion control projects, small boat harbor projects, hurricane protection projects, or to project areas or facilities, authorized by law for inclusion within a national recreation area or appropriate for administration by a Federal agency as a part of the national forest system, as a part of the public lands classified for retention in Federal ownership, or in connection with an authorized Federal program for the conservation and development of fish and wildlife.

(f) As used in this Act, the term "nonreimbursable" shall not be construed to prohibit the imposition of entrance, admission, and other recreation user fees or charges.

(g) Subsection 6(a)(2) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) shall not apply to costs allocated to recreation and fish and wildlife enhancement which are borne by the United States as a nonreimbursable project cost pursuant to subsection 2(a) or subsection 3(b)(1) of this Act.

(h) All payments and repayment by non-Federal public bodies under the provisions of this Act, and revenue from the conveyance by deed, lease, or otherwise, of lands under subsection 3(b)(2) of this Act, shall be deposited in the Treasury as miscellaneous receipts.

SEC. 7. (a) The Secretary of the Interior is authorized as a part of any water resource development project under his control heretofore or hereafter authorized or reauthorized, except projects or areas within national wildlife refuges, to investigate, plan, construct, operate, and maintain or otherwise provide for public outdoor recreation and fish and wildlife enhancement facilities, to acquire or otherwise to include within the project area such adjacent lands or interests therein as are necessary for present or future public recreation or fish and wildlife use, to provide for the public use and enjoyment of project lands, facilities, and water areas in a manner coordinated with the other project purposes, and at projects hereafter authorized or reauthorized, to allocate water and reservoir capacity to recreation and fish and wildlife enhancement: *Provided*, That no appropriation shall be made for the construction of recreation or fish and wildlife facilities or the acquisition of land for such purposes at existing projects, which construction or acquisition has not heretofore been authorized by law, prior to the expiration of sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days) from the date on which the Secretary submits to the Congress a report thereon and then only if, within said sixty days, neither the House nor the Senate Committee on Interior and Insular Affairs disapproves such plan. Lands, facilities, and project modifications may be provided in accordance with subsection 3(b), hereof, at projects heretofore authorized.

(b) The Secretary of the Interior is authorized to enter into agreements with Federal agencies or State or local public bodies for the administration of project land and water areas and the operation, maintenance, and replacement of facilities and to transfer project lands or facilities to Federal agencies or State or local public bodies by lease agreement or exchange upon such terms and conditions as will best promote the

development and operation of such lands or facilities in the public interest for recreation and fish and wildlife enhancement purposes.

(c) No lands under the jurisdiction of any other Federal agency may be included for or devoted to recreation or fish and wildlife purposes under the authority of this section without the consent of the head of such agency; and the head of any such agency is authorized to transfer any such lands to the jurisdiction of the Secretary of the Interior for purposes of this section. The Secretary of the Interior is authorized to transfer jurisdiction over project lands within or adjacent to the exterior boundaries of national forests and facilities thereon to the Secretary of Agriculture for recreation and other national forest system purposes; and such transfer shall be made in each case in which the project reservoir area is located wholly within the exterior boundaries of a national forest unless the Secretaries of Agriculture and Interior jointly determine otherwise. Where any project lands are transferred hereunder to the jurisdiction of the Secretary of Agriculture, the lands involved shall become national forest lands: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the project for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation. Nothing herein shall limit the authority of the Secretary of the Interior granted by existing provisions of law relating to recreation or fish and wildlife development in connection with water resource projects or to disposition of public lands for such purposes.

SEC. 8. Nothing contained in this Act shall be taken to authorize or to sanction the construction under the Federal reclamation laws or under any Rivers and Harbors or Flood Control Act of any project in which the sum of the allocations to recreation and fish and wildlife enhancement exceeds the sum of the allocations to irrigation, hydroelectric power, municipal, domestic and industrial water supply, navigation, and flood control.

SEC. 9. As used in this Act—

(a) The term "project" shall mean a project or any appropriate unit thereof.

(b) The term "separable costs," as applied to any project purpose, means the difference between the capital cost of the entire multiple-purpose project and the capital cost of the project with the purpose omitted.

(c) The term "joint costs" means the difference between the capital cost of the entire multiple-purpose project and the sum of the separable costs for all project purposes.

(d) The term "capital cost" includes interest during construction, wherever appropriate.

SEC. 10. Section 2, subsection (a) of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897) is hereby amended by striking out the words "notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury;" and inserting in lieu thereof the words "notwithstanding any other provision of law:" and by striking out the words "or any provision of law that provides that any fees or charges collected at particular Federal areas shall be used for or credited to specific purposes or special funds as authorized by that provision of law" and inserting in lieu thereof "or affect any contract heretofore entered into by the United States that provides that such revenues collected at particular Federal areas shall be credited to specific purposes".

SEC. 11. This Act may be cited as the "Federal Water Project Recreation Act".

Mr. HART. Mr. President, I move that the Senate disagree to the amendment of the House and request a con-

ference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. BIBLE, Mr. BURDICK, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

Mr. ERVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AMENDMENT OF SECTION 316 OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

Mr. ELLENDER. Mr. President, there was sent from the House, House Joint Resolution No. 436, and I ask unanimous consent that the House joint resolution be considered and that we dispense with sending it to the Committee on Agriculture and Forestry. The matter has been cleared on both sides of the aisle. The joint resolution would extend the time within which 1965 tobacco allotment leases can be filed with the county committee until 20 days after enactment of the joint resolution. We have done this several times before. The law requires that in order to be valid a tobacco allotment lease must be filed with the county committee before a certain date prior to normal planting time. A few farmers have entered into leases which are in accordance with the law in every way, except that they were not filed with the county committee in time. This resolution would give these farmers an additional 20 days after its enactment to file their leases.

I understand there is no objection to it, and I ask unanimous consent that the joint resolution be considered.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H.J. Res. 436) to amend section 316 of the Agricultural Adjustment Act of 1938 to extend the time by which a lease transferring a tobacco acreage allotment may be filed, in which it requested the concurrence of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was read twice by its title, ordered to a third reading, read the third time, and passed.

#### EXCISE TAX EXEMPTION FOR NEW HAMPSHIRE SWEEPSTAKES

Mr. MCINTYRE. Mr. President, it is my understanding that in the next few days the House Ways and Means Committee will report a bill to reduce excise taxes.

I also understand that the Senate Finance Committee does not intend to hold



hearings on the bill when it reaches the Senate.

I will support the excise tax reduction bill, which will follow President Johnson's message on this subject. The reductions called for by the President are long overdue, and President Johnson has my full support for his request.

Nevertheless, both the President's message and the bill to be reported in the House are grievously deficient in one respect. Under both the message and the bill, the Treasury will still continue to levy the single most unfair, most unreasonable excise tax ever devised; namely, the tax on receipts of the State of New Hampshire's program to raise public school assistance funds by the New Hampshire Sweepstakes.

To the best of my knowledge, no other State in the Union is forced to pay taxes on the money which it raises for its public schools. What makes this tax especially objectionable is the fact that it was not imposed by Congress as a tax on State efforts to raise funds for education, but as a tax on private wagering operations.

Furthermore, the wagering tax imposed by chapter 35 of the Internal Revenue Code does not apply to wagering at parimutuel races, lotteries held in private gambling casinos, or lotteries held by many tax-exempt corporations. Nevertheless, the Treasury claims that it does apply to the State of New Hampshire in the operation of the sweepstakes designed to provide funds for the operation of public schools.

Mr. President, I intend to press for the adoption of my amendment. I intend to take the floor of the Senate often in the weeks to come to describe the compelling reasons for exempting the New Hampshire Sweepstakes from the operation of chapter 35 of the Internal Revenue Code.

Mr. President, I ask unanimous consent to have the operative language of my amendment printed in the RECORD.

There being no objection, the language was ordered to be printed in the RECORD, as follows:

(a) Section 4402 of the Internal Revenue Code of 1954 (relating to exemptions from the tax on wagers) is amended by striking out "and" at the end of paragraph (1), by striking out the period at the end of paragraph (2) and inserting ", or", and by adding at the end thereof the following new paragraph:

"(3) STATE-CONDUCTED SWEEPSTAKES.—On any wager placed in a sweepstakes, wagering pool, or lottery—

"(A) which is conducted by an agency of a State acting under authority of State law, and

"(B) the ultimate winners in which are determined by the result of a horserace.

but only if such wager is placed with the State agency conducting such sweepstakes, wagering pool, or lottery, or with its authorized employees or agents."

(b) The amendment made by subsection (a) shall apply with respect to wagers placed after March 10, 1964.

#### SUMMARY OF MEDICARE TESTIMONY, MAY 3

Mr. HARTKE. Mr. President, yesterday the Finance Committee completed its public hearings on H.R. 6675, the

medicare bill. Each day beginning with May 4 I have offered for publication in the RECORD a short summary of main points of each witness's testimony, completely unofficial and prepared by my staff. I trust that this has been a useful service in connection with this most important legislation.

In order to complete the record of testimony by public witnesses, I ask unanimous consent that there may appear such a summary in the RECORD of the May 3 hearing, which was not published at the time.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

The Honorable Aime J. Forand, former Congressman from Rhode Island, now living in Bethesda, Md. As author of the Forand bill providing a program similar in aim to the present bill (H.R. 9467, 85th Congress; H.R. 4700, 86th Congress), gave full support and encouraged passage. Favors inclusion of radiologists, etc., in hospital coverage; would reduce inpatient deductible from \$40 to \$20.

Department of Social Security, AFL-CIO, Nelson H. Cruikshank, director:

1. Considers this "the most far-reaching proposals for the improvement of the economic security of American families through the mechanism of Social Security since the enactment of the original program 30 years ago." "Wholeheartedly supports," urges "speedy and favorable consideration."

2. Supports inclusion of radiologists, anesthesiologists, etc. in the basic hospital portion of the plan, instead of the voluntary portion.

3. Supports inclusion of tips as taxable earnings under Social Security.

4. Improvements in Social Security needed (but not recommended for inclusion in the bill) include: (1) adding additional drop-out years in computing average wage; (2) increasing widow's benefit to equal primary insurance amount; (3) general increase greater than the bill's 7 percent.

Chamber of Commerce of the United States, Karl T. Schlatterbeck, manager economic security department.

1. Chamber endorses: (1) cost-of-living benefit increase of 7 percent; (2) "transitional" old age benefits but would favor regular \$44 minimum instead of \$35; (3) extension of coverage to physicians—would favor including "all non-covered occupations and groups, both employed and the self-employed"; (4) approves increased tax rate for financing.

2. Opposes following provisions as unsound or not needed: (1) widows' benefits at 60; (2) easing of restrictions on work by the retired; (3) change in definition of disability.

3. Approve consolidation of public assistance vendor payments, but oppose additional Federal financial support.

4. Hospital benefits objective "can best be met through existing social security cash benefits program," rather than new service program.

5. Lack of a means test in the supplemental benefits program, while using General Treasury funds, "is unsound and should be rejected."

Council of State Chambers of Commerce, Leslie J. Dikovics, chairman, social security committee (31 State chamber organizations in council):

1. Oppose principle of providing services rather than cash benefits. Hospital and supplementary benefit provisions are "unnecessary and unwise."

2. "We urge you to reject the proposal to expand the taxable wage base," prefer increase in tax rates.

3. Disability definition (sec. 303) should

be removed; State workmen's compensation offset removed in 1958 should be restored.

National Social Welfare Assembly, Philip Bernstein, chairman, committee on social issues and policies, speaking for 18 organizations and more than 30 welfare leaders:

1. Urge "early favorable action" for this "landmark measure."

2. Specialty services (radiology, etc.) should be restored to hospital benefits.

3. "Strongly urge the elimination of all deductibles."

International Brotherhood of Teamsters, Sidney Zagri, legislative counsel:

1. To prevent bilking practices prevalent under private insurance (unneeded operations, high fees, etc.), recommend:

(a) Costs and fees should be exclusive jurisdiction of HEW Secretary, to be delegated only to public agency authority.

(b) All fees should be on prevailing rates basis.

(c) No reimbursement to doctor unless he certifies his bill covers total charge.

(d) Fixed fee should be established for doctor certification of patient to a hospital, nursing home, or home care.

(e) Utilization review committees should be comprised of doctors outside of the hospital.

2. Sixty percent of all senior citizens have less than \$1,000 annual income. For all with under \$1,000, the deductions should be eliminated and full, instead of 80 percent reimbursement provided under voluntary plan.

3. Payment of radiologists, anesthesiologists, etc., should be under the hospital rather than supplementary benefits.

4. Supports Hartke drug stamp plan amendment.

#### ASSISTANCE TO CERTAIN STATES FOR RECONSTRUCTION OF AREAS DAMAGED BY RECENT FLOODS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 327) to provide assistance to the States of Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods and high waters which were, to strike out all after the enacting clause and insert:

That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

Sec. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

Sec. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange



to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those

banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

And to amend the title so as to read: "An Act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

Mr. KUCHEL. Mr. President, I move that the Senate concur in the House amendments. This legislation was originally introduced in the Senate by my able friend the senior Senator from Oregon [Mr. MORSE]; and joining him, of course was the junior Senator from Oregon [Mrs. NEUBERGER].

While I am not a co-author, I completely support the legislation which the two Senators from Oregon have placed before the Senate, because it constitutes an attempt to have the Federal Government be of some assistance with respect to those citizens whose property was damaged in the floods which ravaged our States last year.

Mr. MORSE. Mr. President, this is the Morse-Neuberger flood relief bill as it relates to access roads, and seeks to bring some relief to the workers in our State and to the lumber industry in instances in which the floods washed out roads and made it impossible to bring the logs to the mills and in many instances washed out access roads in the process of completion.

I thank the Senator from California [Mr. KUCHEL] very much because we had his complete support for the bill.

The bill involves some of the problems existing in northern California. On the

House side Representative JOHNSON of California took a leadership role with regard to the objectives of the bill.

Although there will be those in my State who will not be happy to hear me say it, they must know that the two Senators from Oregon have an obligation to make the best adjustments in the differences that can be worked out in the legislative field.

The bill now contains an amendment, added in the House, known as the \$500 ceiling amendment. If a repair does not cost more than \$500, it must be borne by the person who has suffered the loss. That means nothing to the big companies, but it can mean a great deal to the small operator. We have a good many small operators who operate portable mills and small mills. I cannot object to the passage of the bill because it contains the \$500 limitation.

I urge the Senate to concur in the House amendments, although I sought not to have the \$500 limitation placed in it.

The bill also calls for a 2-year authorization. This is another House amendment. The Morse-Neuberger bill sought to provide that money should be appropriated for the period of time necessary to make repairs. On the other hand, I may say to my constituents, the 2-year authorization does not mean that if the money cannot be spent during the period of time for which it is appropriated, the two Senators from Oregon will not urge that there be a further authorization and appropriation to finally rectify, to the extent we can by way of appropriations, the damage that has been done.

Mr. President, although I would have preferred that the two House amendments were not added to the bill, I join the Senator from California—and I know I speak for my colleague [Mrs. NEUBERGER]—in urging that the Senate concur in the House amendments. I notify my constituents that we shall watch over this operation. If this action proves to be insufficient, we shall at a later date urge additional authorizations and additional appropriations.

I thank the Senator from California, who is a member of the committee, for extending to us the legislative courtesy and service of raising this question this afternoon, so that we can now complete action on the bill.

Mr. KUCHEL. I thank my friend from Oregon. I join him in the sentiments he has echoed. If additional legislation is necessary, I shall follow his leadership in this field.

I move that the House amendments be concurred in.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

(Mr. THURMOND obtained the floor.)

Mr. THURMOND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Virginia, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, the Senator from Virginia may proceed.



# PROPOSED MINTING OF 45 MILLION SILVER DOLLARS

Mr. ROBERTSON. Mr. President, I share the concern expressed in the House on yesterday by a distinguished Member from Massachusetts over the proposal of the Bureau of the Mint to mint 45 million silver dollars, at an estimated cost of \$600,000. It became apparent last year that we could not continue indefinitely to put as much silver in our coins as we have in the past, because the three-fourths of an ounce of silver in a silver dollar at \$1.29 plus per ounce for silver is costing the Government \$1 for each silver dollar plus at least 3 cents to mint it and yet it will sell for only \$1. So, notwithstanding the action at the last session of the Congress to authorize the minting of 45 million silver dollars, the minting of those dollars was delayed for two reasons:

First, there was an acute shortage of small coins which are the principal medium of exchange, even in the Rocky Mountain States, which insist also upon silver dollars, and second, the Treasury Department did not wish to mint any additional silver dollars until Congress had passed a law with respect to what percent of silver, if any, would be in our future coins. The shortage of small coins has been only partially met, notwithstanding a tremendous step-up in production, and for reasons which have not yet been made public, the Treasury has been unable to recommend a new basis of metal for our metal coins, although such a report had been expected by the Senate Banking and Currency Committee at least 2 months ago.

The bill introduced in the Senate on yesterday to help protect the new coins from the greedy grab of speculators, providing that the new silver dollars should be dated "1922" and should not bear any mark or inscription indicating the mint of coinage, will not be adequate to protect us from the complete withdrawal from circulation of the entire 45 million silver dollars by speculators and by coin collectors. Prior to 1935 we issued about 500 million silver dollars. Most of those made available to the public have disappeared from circulation. Only 3 million remain in the hands of the government and they have a high collector's value. Barely 2 months ago, the former Secretary of the Treasury, Mr. Dillon, testified before a House committee:

I am certain that if these new coins were issued, even though we would distribute them only in the Western States and particularly in the areas where they are used, they would go into the hands of speculators and coin collectors immediately and wouldn't be in circulation more than 20 minutes.

Mr. President, I have had no adequate opportunity to maturely consider this proposal and to come up with the best solution, but one thing is sure, when the Congress last year authorized the minting of 45 million silver dollars, many Senators definitely contemplated that those new dollars would not contain 90 percent of silver which would make the new dollar worth more for bullion than it would for currency. As a possible solution of this difficult issue, I would be willing to recommend to the full Senate

Appropriations Committee, when it meets possibly next week to mark up the Treasury-Post Office bill, that we continue to make available in the new fiscal year the \$600,000 previously appropriated to cover the cost of minting 45 million new dollars to give the Treasury time, first, to decide on the amount of silver, if any, for future use in our coins and the Congress time to enact that recommendation into law.

At the present time, we are using 312 million ounces of silver in our coins without minting silver dollars, which is more than the total world production of silver; the domestic production of silver is only 37 million ounces a year, the 45 million new silver dollars would consume all of that and our entire silver will be exhausted in the matter of a few years unless we take action to reduce its consumption for coinage purposes.

Mr. President, I thank the Senator from South Carolina for yielding to me. I have discussed this subject with him. He is very much interested in it. It is something on which I shall need his help in order to take action at the appropriate time.

## VOTING RIGHTS ACT OF 1965

The Senate resumed the consideration of the bill (S. 1564) to enforce the 15th amendment to the Constitution of the United States.

Mr. THURMOND. Mr. President, the impression appears to be prevalent both here in the Senate and in much of the national press that the principal constitutional issue evoked by S. 1564 is that posed by efforts to strike down the poll tax as a prerequisite to voting in State and local elections. Any provisions passed by Congress which purported to strike down the poll tax by statute as a prerequisite to voting in State and local elections would, of course, be unconstitutional, and the Congress recognized that fact when it proposed a constitutional amendment to eliminate the poll tax as a prerequisite to vote in national elections.

The provision with reference to the poll tax, however, is by no means the only, and not even the most flagrant, violation of the Constitution embodied in the proposed Voting Rights Act of 1965. There are at least 12 ways in which the provisions of S. 1564, exclusive of those bearing on the poll tax issue, conflict with the provisions of the Constitution.

First, S. 1564 violates the Constitution in that it purports by an act of Congress, under authority of the 15th amendment, to nullify voter qualifications established by the States which are not in conflict with the 15th amendment.

The principal "tests or device" imposed by States as a prerequisite to voting which it is the purpose of the bill to nullify are literacy tests. The 15th amendment did not invalidate the imposition by States of literacy as a prerequisite to voting.

The Supreme Court as late as 1959 in the case of *Lassiter v. North Hampton County Board of Elections*, 360 U.S. 45, held that literacy test requirements by the States were constitutionally valid. The Court stated:

Literacy and illiteracy are neutral on race, creed, color, and sex, as reports around the world show.

Second, S. 1564 violates the Constitution in that it would substitute voter qualifications determined by Congress in place of voter qualifications established by the State, despite the fact that the Constitution vests the sole power to establish qualifications of electors in the States.

Section 3(a) would invalidate certain types of voter qualifications established by the States. Under the provisions of section 6, Federal examiners would be appointed; and under the provisions of section 8, voter qualifications would be determined by the Civil Service Commission after consultation with the Attorney General.

The power to establish voter qualifications is vested exclusively in the States.

Section 2 of article I of the Constitution provides:

The electors in each State shall have the qualifications prerequisite for electors of the most numerous branch of the State legislature.

This provision was not modified by the 15th amendment, as evidenced by the fact that the identical language was repeated in the 17th amendment which deals with election of Senators.

The entire import of the 15th amendment was summarized by the Supreme Court in *Pope v. Williams*, 193 U.S. 621, in the following language:

Since the 15th amendment, the whole control of suffrage and the power to regulate its exercise is still left with and retained by the several States, with the single restriction that they must not deny or abridge it on account of race, color, or previous condition of servitude.

Third, S. 1564 violates the Constitution in that it embodies an attempt by Congress purportedly enacted under the authority of the 15th amendment of the Constitution to enfranchise persons not qualified to vote under State law, although the 15th amendment does not vest authority in Congress to enfranchise any person ineligible to vote under State law.

The effect of the bill would be to enfranchise persons now unqualified under State requirements for voting. For instance, persons now ineligible to vote because of illiteracy would be extended the ballot under the provisions of this bill. The Congress has no such power.

In *Reese v. United States*, 92 U.S. 214, the Supreme Court stated:

The 15th amendment does not confer the right of suffrage on anyone. It prevents the States or the United States, however, from giving preference to any one citizen of the United States over another on account of race, color, or previous condition of servitude.

The power of Congress to legislate at all upon the subject of voting at State elections rests upon this amendment, and can be exercised by providing a punishment only when the wrongful refusal to receive the vote of a qualified elector at such election is because of his race, color, or previous condition of servitude.

Fourth, S. 1564 violates the Constitution in that it would establish an inequality of powers among the States.

The bill would nullify voting qualifications such as literacy requirements in







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business Postage and Fees Paid  
U. S. Department of Agriculture

Issued June 8, 1965  
For actions of June 7, 1965  
89th-1st; No. 102

### CONTENTS

Accounting.....35	Forest Service.....35	Public lands.....1,3,31
Air pollution.....30	Forestry.....3	Public works.....21
Budgeting.....5	International Wheat Agreement.....19	Reclamation.....7
Claims.....2	Lands.....1,3,31	Research.....10
Disaster relief.....15,27	Loans.....11,34	Retirement.....28
Economics.....24	Marketing orders.....33	Sugar.....8
Education.....34	Natural beauty.....6	Tariff.....14
Export control.....12	Patents.....18	Textile labeling.....36
Farm labor.....22,29	Peanuts.....23	Transportation.....17
Farm loans.....11	Personnel.....28,35	Urban affairs.....32
Farm prices.....26	Poverty.....9	Wheat.....19
Farm program.....25	Property.....20	Wildlife.....31
Food additives.....4	Public debt.....13	
Foreign aid.....16		

HIGHLIGHTS: Senate debated foreign aid authorization bill. Senate received President's veto message on disaster relief bill. Senate passed revised disaster relief bill. Senate committee voted to extend International Wheat Agreement. Rep. Curtis urged timely consideration of questions on world sugar trade. Rep. Hull inserted Secretary Freeman's speeches during tour of research installations.

### HOUSE

1. PUBLIC LANDS. Passed as reported H. R. 396, to provide that until June 30, 1969, Congress shall be notified of proposed withdrawals of public lands exceeding 5,000 acres. pp. 12162-3
2. CLAIMS. Discussed and passed over, at Rep. Hall's request, H. R. 5024, to provide for settlement of claims by Government personnel for damage to or loss of personal property incident to their service. pp. 12165-6
3. FORESTRY. Passed as reported H. R. 903, to add certain lands, including National Forest lands, to the Kings Canyon National Park, Calif. pp. 12166-7
4. FOOD ADDITIVES. Passed, on a motion to suspend the rules, H. R. 7042, to authorize use of additives in confectionery. pp. 12179-81

5. BUDGETING. Rep. Whitten recommended "that the law requiring annual appropriation be repealed and that appropriations be made for the biennium, 2 fiscal years at time, with a change in the Anti-deficiency Act to limit expenditures in any 3 months to one-eighth of the total for the 2-year period." pp. 12187-8
6. NATURAL BEAUTY. Rep. Poage spoke in favor of the natural beauty program and commended the natural beauty of Tex. pp. 12188-9
7. RECLAMATION. Rep. Saylor said the Bureau of Reclamation appears to be embarking on a big lobbying campaign. pp. 12190-1
8. SUGAR. Rep. Curtis noted that the International Sugar Agreement is to expire Dec 31, 1965, and asked that the Agriculture and State Departments give timely consideration to problems relating to world sugar trade. p. 12196
9. POVERTY. Rep. Berry criticized administration of the poverty program. pp. 12196-7
10. RESEARCH. Rep. Hull commended the work of the Department's research installations which he visited recently and inserted Secretary Freeman's speeches made during the visits. pp. 12204-7
11. FARM LOANS. Received from this Department a proposed bill to amend the Consolidated Farmers Home Administration Act so as to permit the release of valueless junior liens; to Agriculture Committee. p. 12213
12. EXPORT CONTROL. The Rules Committee reported a resolution for consideration of H. R. 7105, to continue export control. p. 12213
13. PUBLIC DEBT. The Rules Committee reported a resolution for consideration of H. R. 8464, to further increase the temporary public debt limit. p. 12213
14. TARIFF. The Ways and Means Committee reported with amendments H. R. 4493, to continue through June 30, 1966, the suspension of duties for metal scrap (H. Rept. 446); without amendment H. R. 5768, to extend the suspension of duties on certain yarn and silk (H. Rept. 447); and with amendments H. R. 7621, to limit button blanks to crude forms suitable for manufacture into buttons (H. Rept. 448). p. 12213

#### SENATE

15. DISASTER RELIEF. Received a message of June 5 from the President vetoing S. 327, to provide assistance to Oregon, Washington, California, and Idaho for the reconstruction of areas damaged by recent floods (S. Doc. 34). The President said he supported the purpose of the bill but objected to a provision providing for "coming into agreement" with a congressional committee before taking executive action. p. 12216  
Passed without amendment S. 2089, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters (pp. 12272-3). This bill was introduced and discussed earlier (pp. 12218-20) as a substitute for S. 327 (which was vetoed by the President) and had been reported by the Public Works Committee without amendment (S. Rept. 276) (p. 12217). It is the same as the bill which had been vetoed, except that the provision to which the President objected has been eliminated.



PACIFIC NORTHWEST DISASTER RELIEF ACT OF 1965—  
VETO MESSAGE

---

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

RETURNING

WITHOUT APPROVAL, THE BILL (S. 327) ENTITLED "AN ACT TO PROVIDE ASSISTANCE TO THE STATES OF CALIFORNIA, OREGON, WASHINGTON, NEVADA, AND IDAHO FOR THE RECONSTRUCTION OF AREAS DAMAGED BY RECENT FLOODS AND HIGH WATERS."

---

JUNE 7, 1965.—Read; referred to the Committee on Public Works and ordered to be printed

---

*To the Senate of the United States:*

I return herewith, without my approval, S. 327, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

This bill authorizes additional funds and other special assistance to aid in the reconstruction and repair of damage caused in the Pacific Northwest by the devastating floods of last winter. *I am in complete sympathy with the purpose of this legislation.* However, in spite of the bill's general desirability, section 5 seriously violates the spirit of the division of powers between the legislative and executive branches. Despite my strong support for the substantive relief, I must withhold approval until this unwise and objectionable provision is deleted.

The provision is contained in that part of section 5(a) stipulating that:

The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but *no appropriation shall be made for any such*

*work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively. [Italic supplied.]*

The Attorney General advises me that this provision is clearly a "coming into agreement" with a congressional committee requirement. This device requires an executive official to obtain the approval of a committee or other unit of Congress before taking an executive action. It is not only an undesirable and improper encroachment by the Congress and its committees into the area of executive responsibilities—it also leads to inefficient administration. The executive branch is given, by the Constitution, the responsibility to implement all laws—a specific and exclusive responsibility which cannot properly be shared with a committee of Congress.

The proper separation of powers and division of responsibilities between Congress and the executive branch is a matter of continuing concern to me. I must oppose the tendency to use any device to involve congressional committees in the administration of programs and the implementation of laws. I have spoken out against this before. Less than a year ago, in a signing statement on the Water Resources Research Act of 1964, I requested deletion of a provision much the same as the one in S. 327.

Although I am unable to approve S. 327 in its present form for the reasons stated, I am anxious that the relief to the States involved be made available as quickly as possible. Accordingly, I will approve S. 327 immediately when the Congress has eliminated the provision in section 5 which infringes upon the responsibilities of the executive branch. I see no reason why this cannot be accomplished in a few days and have directed the executive branch to cooperate fully with the Congress to this end.

LYNDON B. JOHNSON.

THE WHITE HOUSE, June 5, 1965.

## S. 327

EIGHTY-NINTH CONGRESS OF THE UNITED STATES OF AMERICA, AT THE FIRST SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON ON MONDAY, THE FOURTH DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND SIXTY-FIVE

AN ACT To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.



SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the



4      PACIFIC NORTHWEST DISASTER RELIEF ACT—VETO MESSAGE

Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

JOHN W. McCORMACK,  
*Speaker of the House of Representatives,*

HUBERT H. HUMPHREY,  
*Vice President of the United States and President of the Senate.*

[Endorsement on back of bill:]

I certify that this Act originated in the Senate.

FELTON M. JOHNSTON,  
*Secretary.*



PROVIDING ASSISTANCE TO THE STATES OF OREGON, WASHINGTON, CALIFORNIA, NEVADA, AND IDAHO FOR THE RECONSTRUCTION OF AREAS DAMAGED BY RECENT FLOODS AND HIGH WATERS

JUNE 7, 1965.—Ordered to be printed

Mr. McNAMARA, from the Committee on Public Works, submitted the following

R E P O R T

[To accompany S. 2089]

The Committee on Public Works, to whom was referred the bill (S. 2089) to provide assistance to the States of Oregon, Washington, California, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, having considered the same, report favorably thereon without amendment and recommend that the bill as reported do pass.

GENERAL STATEMENT

S. 2089 is identical, with one exception, to S. 327 as enacted by the Congress and vetoed by the President on June 5, 1965. S. 327 was passed by the Senate on April 23, 1965, and by the House of Representatives on May 19, 1965, after amendment by the House by insertion of the language of H.R. 7303, which had previously been enacted by the House. The Senate concurred in the House amendments on May 20, 1965. The provisions of S. 327 as enacted by the Congress are set forth, and the measure is explained in House Report 310 which accompanied H.R. 7303. That report is applicable to S. 2089 with exception to the one provision discussed below.

The provision of S. 327 which the President has described as "unwise and objectionable" is contained in that part of section 5(a) stipulating that:

The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, *but no appropriation shall be made for any such work which has not been approved*

*before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively.*

S. 2089 deletes the italicized language which the President found objectionable in the parent bill, S. 327, and terminates the second sentence of section 5(a) with the word "carrier."

#### COMMITTEE VIEWS

Because of the emergency nature of the original Pacific Northwest disaster relief legislation, the Senate concurred in the amendment by the House of Representatives which has been the object of the President's veto. And because of the continuing emergency and the need to prevent further delay in bringing relief to the hard-pressed people and communities of the Pacific Northwest, the committee consents to the views of the President and recommends deletion of that provision of section 5(a) to which the President has objected. Such consent, however, does not necessarily imply committee agreement with the President's view that the objectionable language constitutes an "improper encroachment by the Congress and its committees."

#### COMMITTEE RECOMMENDATION

The committee recommends enactment of S. 2089 as reported.





# S. 2089

---

## IN THE SENATE OF THE UNITED STATES

JUNE 7, 1965

Mr. MORSE (for himself, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. MURPHY, and Mr. KUCHEL) introduced the following bill; which was read twice and referred to the Committee on Public Works

JUNE 7, 1965

Reported by Mr. McNAMARA, without amendment

JUNE 7, 1965

Passed without amendment

---

## A BILL

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That Congress hereby recognizes (1) that the States of  
4       California, Oregon, Washington, Nevada, and Idaho have  
5       experienced extensive property loss and damage as the  
6       result of floods and high waters during December 1964, and  
7       January and February 1965, (2) that much of the affected  
8       area is federally owned and administered, and (3) that the  
9       livelihood of the people in the area is dependent on prompt  
10      restoration of transportation facilities, and therefore Congress

1 declares the need for special measures designed to aid and  
2 accelerate those States in their efforts to provide for the  
3 reconstruction of devastated areas.

4       SEC. 2. There is authorized to be appropriated, out of  
5 any money in the Treasury not otherwise appropriated, in  
6 addition to the amounts authorized in section 125 of title  
7 23 of the United States Code, not to exceed \$50,000,000  
8 for the fiscal year ending June 30, 1965, and not to exceed  
9 \$20,000,000 for the fiscal year ending June 30, 1966.  
10 Such sums shall be obligated and expended by the Secre-  
11 tary of Commerce in accordance with such section 125, and  
12 related provisions of title 23 of the United States Code for  
13 the repair and reconstruction of highways, roads, and trails,  
14 damaged as the result of a disaster.

15       SEC. 3. (a) Notwithstanding provisions of existing con-  
16 tracts, the Secretary of the Interior and the Secretary of  
17 Agriculture, separately, and as part of the regular road and  
18 trail construction program, shall reimburse timber sale con-  
19 tractors or otherwise arrange to bear road and trail construc-  
20 tion and restoration costs either directly or in cooperation  
21 with timber purchasers to the extent of costs determined by  
22 the respective Secretary as incurred or to be incurred for  
23 restoring roads in any stage of construction authorized by  
24 a contract for the purchase of timber from lands under his  
25 jurisdiction to substantially the same condition as existed prior

1 to the damage resulting from the floods of December 1964,  
2 and January and February of 1965 in California, Oregon,  
3 Washington, Nevada, and Idaho, and to the extent costs  
4 determined by the respective Secretary as incurred or to be  
5 incurred for completing road construction not performed  
6 under any such contract prior to the floods but which, be-  
7 cause of changed conditions resulting from the floods, exceed  
8 road construction costs as originally determined by the re-  
9 spective Secretary. The costs for such road restoration,  
10 reconstruction, and construction under any single timber pur-  
11 chase contract on roads not accepted prior to the floods,  
12 whether construction was complete, partial, or not yet be-  
13 gun, shall be borne as follows: 15 per centum of all amounts  
14 shall be borne by the timber purchaser, except that such  
15 purchaser shall not be required to bear costs of more than  
16 \$4,500, and the Secretary shall bear the remaining portion  
17 of such costs. This subsection shall not apply (1) in the  
18 case of any road restoration or reconstruction if the cost  
19 of such restoration or reconstruction is less than \$500, and  
20 (2) in the case of any road construction if the increase in the  
21 cost of such construction as the result of the floods is less  
22 than \$500 more than the construction costs as originally  
23 determined by the respective Secretary.

24 (b) Where the Secretary determines that damages are  
25 so great that restoration, reconstruction, or construction is



1 not practical under the cost-sharing arrangement authorized  
2 by subsection (a) of this section, the Secretary may allow  
3 cancellation of the contract notwithstanding provisions  
4 therein.

5 (c) Paragraph (3) of section 2 of the Federal-Aid  
6 Highway Act of 1964 is amended to read as follows:

7 “(3) For forest development roads and trails, \$123,-  
8 000,000 for the fiscal year ending June 30, 1966, of which  
9 not to exceed \$38,000,000 shall be used solely for the con-  
10 struction, repair, and reconstruction of forest development  
11 roads and trails in the States of California, Oregon, Wash-  
12 ington, Nevada, and Idaho, necessary because of the floods  
13 and high waters in such States during December 1964, and  
14 January and February 1965, and \$85,000,000 for the fiscal  
15 year ending June 30, 1967.”

16 (d) The Secretary of Agriculture is authorized to reduce  
17 to seven days the minimum period of advance public notice  
18 required by the first section of the Act of June 4, 1897  
19 (16 U.S.C. 476), in connection with the sale of timber  
20 from national forests, whenever the Secretary determines  
21 that the sale of such timber will assist in the reconstruction  
22 of any area of California, Oregon, Washington, Nevada, and  
23 Idaho damaged by floods and high waters during December  
24 1964, and January and February 1965.

25 SEC. 4. The Secretary of the Interior is authorized to

1 give any public land entryman such additional time in which  
2 to comply with any requirement of law in connection with  
3 any public land entry for lands in California, Oregon, Wash-  
4 ington, Nevada, and Idaho, as the Secretary finds appro-  
5 priate because of interference with the entryman's ability  
6 to comply with such requirement resulting from floods and  
7 high waters during December 1964, and January and Febru-  
8 ary 1965.

9       SEC. 5. (a) The President, acting through the Office of  
10 Emergency Planning, shall make a survey to determine  
11 what protective works would be necessary to prevent the  
12 recurrence of damage by floods or high waters to those banks  
13 of the Eel River, California, which are adjacent to the track-  
14 age of any common carrier by railroad and shall report to  
15 Congress the results of such survey together with the cost  
16 of any recommended work within sixty days after the date  
17 of enactment of this Act. The President, acting through the  
18 Office of Emergency Planning, is authorized to perform all  
19 or any part of the recommended work determined to be in  
20 the public interest and to reimburse any common carrier  
21 for any of such recommended work performed by such  
22 carrier. The Corps of Engineers of the United States Army  
23 shall be used to make the survey authorized by this section,  
24 shall recommend necessary work that has been determined

1 by the President acting through the Office of Emergency  
2 Planning to be in the public interest, and shall be used to  
3 supervise any work authorized to be performed under this  
4 section.

5 (b) There is authorized to be appropriated not to exceed  
6 \$3,875,000 to carry out this section.

7 SEC. 6. Loans made pursuant to paragraph (1) of sec-  
8 tion 7 (b) of the Small Business Act (15 U.S.C. 636 (b))  
9 for the purpose of replacing, reconstructing, or repairing  
10 dwellings in California, Oregon, Washington, Nevada, and  
11 Idaho, damaged or destroyed by the floods and high waters  
12 of December 1964, and January and February 1965, may  
13 have a maturity of up to thirty years, except that section  
14 7 (c) of such Act shall not apply to such loans.

15 SEC. 7. This Act, other than section 5 and the amend-  
16 ment made by section 3 (c), shall not be in effect after  
17 June 30, 1966, except with respect to payment of expendi-  
18 tures for obligations and commitments entered into under  
19 this Act on or before such date.

20 SEC. 8. This Act may be cited as the "Pacific Northwest  
21 Disaster Relief Act of 1965".





A BILL

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

By Mr. MORSE, Mrs. NEUBERGER, Mr. RANDOLPH,  
Mr. MURPHY, and Mr. KUCHEL

JUNE 7, 1965  
Read twice and referred to the Committee on Public Works

JUNE 7, 1965  
Reported without amendment

JUNE 7, 1965  
Passed without amendment

methods to eliminate the electoral college; to the Committee on the Judiciary.

305. Also, memorial of the Legislature of the State of Wisconsin, relative to the Federal excise tax on telephone services; to the Committee on Ways and Means.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 8828. A bill to confer jurisdiction upon the District Court of the United States for the District of Hawaii to hear, determine, and render judgment upon the claim of Christel Guessefeldt, a natural born American citizen, executrix and sole heir of her father, Richard Guessefeldt, late a resident of Hawaii; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 8829. A bill for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired); to the Committee on the Judiciary.

By Mr. ASPINALL:

H.R. 8830. A bill for the relief of Tomas

Bidegain Elizondo; to the Committee on the Judiciary.

By Mr. CARTER:

H.R. 8831. A bill for the relief of Dr. Yuen Zang Chang; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 8832. A bill granting jurisdiction to the Court of Claims to render judgment on certain claims of the Algonac Manufacturing Co. and John A. Maxwell against the United States; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 8833. A bill for the relief of Serafina Antonietta Corea; to the Committee on the Judiciary.

By Mr. FARBERSTEIN:

H.R. 8834. A bill for the relief of Teresa Knap; to the Committee on the Judiciary.

By Mr. GIBBONS:

H.R. 8835. A bill for the relief of Neville Cartwright; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8836. A bill for the relief of Giacomo Trapani; to the Committee on the Judiciary.

By Mr. HERLONG:

H.R. 8837. A bill for the relief of Sfc. Jack

E. Redding, retired; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 8838. A bill for the relief of Misak Parsekian; to the Committee on the Judiciary.

By Mr. THOMSON of Wisconsin:

H.R. 8839. A bill for the relief of Athanasios George Koutretsis; to the Committee on the Judiciary.

H.R. 8840. A bill for the relief of Constantinos George Koutretsis; to the Committee on the Judiciary.

By Mr. WHITE of Texas:

H.R. 8841. A bill for the relief of Mrs. Linda Emily Simmons; to the Committee on the Judiciary.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

222. By the SPEAKER: Petition of Henry Stoner, Fishing Bridge Station, Wyo., relative to construction improvement of the U.S. Capitol; to the Committee on Public Works.



# Senate

MONDAY, JUNE 7, 1965

The Senate met at 12 o'clock meridian, and was called to order by the Acting President pro tempore [Mr. METCALF].

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

*The heavens declare the glory of God; and the firmament showeth His handiwork.* How true these words of Holy Scripture speak to us, our Heavenly Father, and will speak to us through the experiences of two who now prepare to return to earth, after the rare experience of being in orbit in the heavens.

We are grateful to Thee that we live in such an exciting and challenging day. We bow in humility at the knowledge we are receiving, and the possibilities of the future. Thou art a great God. The more we discover, the more we find how little we know. We are only touching the hem of Thy garment of creation.

In this session of the U.S. Senate, at the near moment of reentry of Astronauts James A. McDivitt and Edward H. White II, we bow before Thee, our Creator, praying Thy protection in their behalf. Give to all associated with this flight clear minds and steady hands and thoughts. We are grateful that our basic philosophy is the concern and safety of these men, above everything else.

In a world that needs peace, we dedicate the work of the space program for peaceful purposes. In all that is done and discovered, may men of all nations be blessed, through our accomplishments, with abundant and long life.

Bless the Nation we love the most and its leaders and people, we pray in the name of the Prince of Peace. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, June 4, 1965, was dispensed with.

## MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries.

## DISASTER RELIEF—VETO MESSAGE FROM THE PRESIDENT (S. DOC. NO. 34)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a veto message on Senate bill 327, received by the Secretary of the Senate during adjournment, which, without objection, will be printed in the RECORD without being read, and, with the accompanying bill, will be appropriately referred, and printed as a Senate document.

The message from the President was referred to the Committee on Public Works, as follows:

## To the Senate of the United States:

I return herewith, without my approval S. 327, "To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters."

This bill authorizes additional funds and other special assistance to aid in the reconstruction and repair of damage caused in the Pacific Northwest by the devastating floods of last winter. I am in complete sympathy with the purpose of this legislation. However, in spite of the bill's general desirability, section 5 seriously violates the spirit of the division of powers between the legislative and executive branches. Despite my strong support for the substantive relief, I must withhold approval until this unwise and objectionable provision is deleted.

The provision is contained in that part of section 5(a) stipulating that:

The President, acting through the Office of Emergency Planning is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively.

The Attorney General advises me that this provision is clearly a "coming into agreement" with a congressional committee requirement. This device requires an executive official to obtain the approval of a committee or other unit of Congress before taking an executive action. It is not only an undesirable and improper encroachment by the Congress and its committees into the area of executive responsibilities—it also leads to inefficient administration. The executive branch is given, by the Constitution, the responsibility to implement all laws—a specific and exclusive responsibility which cannot properly be shared with a committee of Congress.

The proper separation of powers and division of responsibilities between Congress and the executive branch is a matter of continuing concern to me. I must oppose the tendency to use any device to involve congressional committees in the administration of programs and the implementation of laws. I have spoken out against this before. Less than a year ago, in a signing statement on the Water Resources Research Act of 1964, I requested deletion of a provision much the same as the one in S. 327.

Although I am unable to approve S. 327 in its present form for the reasons

stated, I am anxious that the relief to the States involved be made available as quickly as possible. Accordingly, I will approve S. 327 immediately when the Congress has eliminated the provision in section 5 which infringes upon the responsibilities of the executive branch. I see no reason why this cannot be accomplished in a few days and have directed the executive branch to cooperate fully with the Congress to this end.

LYNDON B. JOHNSON.

THE WHITE HOUSE, June 5, 1965.

## EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

## MESSAGE FROM THE HOUSE— ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1135) to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before December 31, 1968, and it was signed by the Vice President.

## ORDER DISPENSING WITH CALL OF LEGISLATIVE CALENDAR UNDER RULE VIII

On request of Mr. MANSFIELD, and by unanimous consent, the call of the Legislative Calendar under rule VIII was dispensed with.

## LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

## COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Commerce, the Subcommittee on Employment and Manpower of the Committee on Labor and Public Welfare, the Subcommittee on Education of the Committee on Labor and Public Welfare, and



the Subcommittee on Constitutional Rights of the Judiciary Committee were authorized to meet during the session of the Senate today.

Mr. MANSFIELD. Mr. President, after consultation with the distinguished minority leader [Mr. DIRKSEN], I ask unanimous consent that the Committee on Public Works be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### INTERNATIONAL CONFERENCE TO GUARANTEE THE TERRITORIAL INTEGRITY AND NEUTRALITY OF CAMBODIA

Mr. MANSFIELD. Mr. President, on June 4, the press officer of the Department of State, Mr. Robert J. McCloskey, said that the U.S. Government is prepared to attend an international conference on the question of guaranteeing the territorial integrity and neutrality of the Kingdom of Cambodia. He made it clear, moreover, that insofar as this Government is concerned it wants this conference confined to that question.

Mr. President, that is a significant clarification, even though it was not widely reported in the press. It seems to me to set at rest one of the uncertainties which has previously forestalled the conference insofar as Prince Sihanouk is concerned and as he has expressed these uncertainties in a letter to the New York Times last week.

With this official clarification on the RECORD, it would appear that only one point still blocks the actual convening of the conference. That is the question of representation of Vietnam—North and South. Prince Sihanouk, in his letter to the Times was both flexible and accommodating on this point. He listed several possible formulas and said, in effect, that he would accept any alternative which the larger powers could agree upon, including no representation for Vietnam at all.

What this suggests to me, Mr. President, is that there is a clear responsibility on the part of all the Geneva conferees and particularly on the part of the Co-chairmen, the United Kingdom and the Soviet Union, to intensify and concentrate their efforts on the difficult but not insurmountable diplomatic question of the representation of Vietnam at a conference on Cambodia.

It is not an easy question. But it is a question which ought not to be allowed to block, as apparently the sole remaining obstacle, a conference on Cambodia's neutrality and territorial integrity. The latter question, in itself, is too important to put off. It is one of the keys to general stability in southeast Asia which quite apart from the conflict in Vietnam, has got to be faced sooner or later.

Moreover, it is basic to the Mekong concept. It is, in fact, a prerequisite to giving meaning to this highly constructive proposal which the President first made at Baltimore some weeks ago and for which \$19 million was asked last

week as part of the President's special request for \$89 million for southeast Asian development. The Mekong project is not likely to attract a significant international investment for the development of southeast Asia unless this conference on Cambodian neutrality and territorial integrity can be convened and can make a prior contribution to the political stability of the region.

#### EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following communications, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1966, FOR DEPARTMENT OF STATE (S. Doc. No. 33)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1966, in the amount of \$1 million, for the Department of State (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

#### THE FLORENCE AGREEMENT

A communication from the President of the United States, proposing legislation to permit the United States to implement the Agreement on the Importation of Educational, Scientific and Cultural Materials, commonly known as the Florence Agreement, opened for signature at Lake Success, N.Y., on November 27, 1950; to the Committee on Finance.

#### CONCURRENT RESOLUTION OF LEGISLATURE OF LOUISIANA

The ACTING PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Louisiana, which was referred to the Committee on Armed Services, as follows:

#### HOUSE CONCURRENT RESOLUTION 156

Concurrent resolution expressing opposition of the Legislature of Louisiana to the proposed elimination of the U.S. Army Reserve and reorganization of the National Guard

Whereas during our Nation's history, it has been necessary to wage wars in order to preserve our way of life and destroy tyrannies which were dedicated to the destruction of our status as a free people, and such tyrannies continue to exist; and

Whereas the very history of our country attests to the wisdom of its traditional military concept that, as a democracy, it may best deter aggression by the effective implementation of relatively small but thoroughly trained professional Armed Forces, adequately supported, however, by civilian Reserve components of such Armed Forces; and

Whereas such civilian Reserve components have proven themselves more than equal to the tasks assigned to them both in peace and in war, and have provided our country with the majority of combat personnel dedicated to its defense in time of war and in numbers which its economy could not support and which its citizens would not tolerate as a standing professional peacetime armed force; and

Whereas we adhere to the firm belief that although weapons have changed and no doubt will continue to change, as they have throughout the history of mankind, the successful defense of our country and of its people must, in the final analysis, depend

upon the ability of the people of our civilian Reserve Armed Forces to take and to hold ground; and

Whereas in such belief, we do not discount the effectiveness of any weapon or weapons, but rather deem it folly to rely solely on one instrument or on a few instruments of war to the exclusion of all others: Therefore be it

*Resolved by the House of Representatives of the Louisiana Legislature (the Senate thereof concurring), That the Legislature of Louisiana hereby records its complete opposition to the recent move of the Secretary of Defense of the United States, the effect of which, if implemented, eventually will be the destruction of U.S. civilian Reserve Forces and the reduction of the civilian Reserves to a status of ineffectiveness; be it further*

*Resolved, That a duly attested copy of this resolution shall be transmitted immediately by the clerk of the house to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to the Secretary of Defense of the United States, and to each Member of the Congress from the State of Louisiana.*

VAIL M. DELONY,

*Speaker of the House of Representatives.*

C. C. AYCOCK,

*Lieutenant Governor and President of the Senate.*

#### REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. McNAMARA, from the Committee on Public Works, without amendment:

S. 2089. A bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters (Rept. No. 276).

#### EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report was submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Executive B, 89th Congress, 1st session, protocol for the extension of the International Wheat Agreement, 1962, opened for signature in Washington from March 22 until and including April 23, 1964 (Executive Rept. No. 2).

By Mr. EASTLAND, from the Committee on the Judiciary:

James B. Brennan, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin; and

John F. Quinn, Jr., of New Mexico, to be U.S. attorney for the district of New Mexico.

By Mr. LONG, of Missouri, from the Committee on the Judiciary:

Floyd R. Gibson, of Missouri, to be U.S. circuit judge, eighth circuit.

#### BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MORSE (for himself, Mrs. NEUBERGER, Mr. RANDOLPH, Mr. MURPHY, and Mr. KUCHEL):

S. 2089. A bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters; to the Committee on Public Works.



(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S. 2090. A bill to provide for the establishment of a program under which foreign agricultural workers can be recruited for temporary employment in the continental United States; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. TOWER when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON:

S. 2091. A bill for the relief of Joaquin U. Villagomez; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 2092. A bill to amend the Agricultural Marketing Agreement Act of 1937 to permit marketing orders applicable to celery, sweet corn, limes, or avocados to provide for paid advertising; to the Committee on Agriculture and Forestry.

By Mr. YOUNG of North Dakota:

S. 2093. A bill for the relief of Young Shoon Lee; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2094. A bill to amend section 117(q) (4) of the Internal Revenue Code of 1939; to the Committee on Finance.

S. 2095. A bill for the relief of Maryellen Boone; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 2096. A bill to authorize the construction of certain additional roads in connection with the program of basic improvements authorized under the act of April 19, 1950 (64 Stat. 44); to the Committee on Interior and Insular Affairs.

By Mr. MORSE (for himself, Mr. CLARK, and Mr. YARBOROUGH):

S. 2097. A bill to provide for judicial review of the constitutionality of grants or loans under certain acts; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE:

S. 2098. A bill for the relief of the town of Bremen, Ind.; to the Committee on the Judiciary.

(See the remarks of Mr. HARTKE when he introduced the above bill, which appear under a separate heading.)

#### DISASTER RELIEF FOR OREGON, WASHINGTON, CALIFORNIA, NEVADA, AND IDAHO

Mr. MORSE. Mr. President, I send a bill to the desk on behalf of my colleague, the junior Senator from Oregon [Mrs. NEUBERGER], the senior Senator from West Virginia [Mr. RANDOLPH], the senior Senator from California [Mr. KUCHEL], the junior Senator from California [Mr. MURPHY], and myself. I ask that the bill be printed at this point in the RECORD and that it be appropriately referred.

The PRESIDING OFFICER (Mr. MONTGOMERY in the chair). The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, introduced by Mr. MORSE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Pub-

lic Works, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road construction if the increase in the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Fed-

eral-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Bel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Mr. MORSE. Mr. President, I see my good friend the senior Senator from Michigan [Mr. McNAMARA] in the Chamber. I have every reason to be-



lieve that the Senate committee under the able leadership of the senior Senator from Michigan will see to it that the bill is reported to the Senate before the day is out.

Although I have not received official notification of the text of the President's veto message, I have been informed that the President vetoed the disaster relief bill, S. 327, which was designed to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho as a result of the damage caused by the unprecedented floods of December 1964 and January and February 1965 in those States. I have discussed the veto action with my colleague, the junior Senator from Oregon [Mrs. NEUBERGER] and with Senators MURPHY and KUCHEL, of California, and I should indicate that all of us are deeply concerned over the fact that the veto, which appears to have been based on purely technical grounds, was applied to a disaster relief bill which is so urgently needed by the States mentioned above.

I have been advised informally that the language of S. 327 which was found objectionable to the President is that which appears as a portion of section 5 (a) of the bill. This language reads as follows: "but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committee on Public Works of the Senate and the House of Representatives, respectively."

It is my understanding that the veto was predicated on the President's view that the above-quoted language would encroach upon the administrative powers of the executive branch of the Government. The language which the President found objectionable required that before appropriations for construction, or reimbursement for construction, performed on the Eel River could be made, the Office of Emergency Planning would have to justify such appropriations before the Committee on Public Works of the Senate and House of Representatives, respectively, even though Congress had already authorized such funds.

Apparently, the further authorization required by a resolution of the Public Works Committees of the Senate and House of Representatives constituted the basis of the charge of interference with the functions of the executive branch of the Government.

In order to facilitate action on the disaster relief for the Western States which was envisaged in my bill, S. 327, I am reintroducing my bill with the deletion of the language of section 5(a) which was found objectionable by the President. I am pleased to have Senators NEUBERGER, RANDOLPH, MURPHY, and KUCHEL as cosponsors of the bill.

In fairness to the President, I should point out that his veto related only to a portion of section 5(a) of S. 327 and that this section deals with the survey of protective works necessary to prevent recurrence of flood damage along the banks of the Eel River, Calif. This section was not in my original bill but was inserted by action of the House of Representatives.

My colleagues from California, both the junior and senior Senators, and my colleague from Oregon, as well as the senior Senator from Oregon, are entitled to have it clearly understood that we did not have this language in our bill as we introduced it in the Senate. This was a matter that was agreed to at the House level: Apparently it was thought that in order to expedite the handling of the bill, it was necessary to accept the language in conference.

We have the responsibility of seeing to it that every possible time saving measure be accomplished. As the RECORD will show, I have been highly critical, and rightly so, of the executive branch of the Government.

I say to the President that it was necessary for me on two different occasions to get in touch with the President and point out to him that his Bureau of the Budget and his agencies downtown were not moving with the dispatch they should have used last January, February, and March, in order to bring relief to the people of the Pacific Northwest. I believe it to be particularly apropos, in view of the debate that will be taking place in the Senate in the next several days or weeks on foreign aid, to repeat my statement that if this aid had involved a disaster in a foreign country, we would not have had to go through all the checks and balances that we had to go through to get the money for the relief of our own people who have experienced a disaster. That is why I think it is so important that this administration—

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MORSE. I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. That is why I believe it is important, now that this administration has seen fit to veto the bill, that we proceed with the utmost speed and dispatch, as I know will be done, to get the bill passed, so we can start getting help for the people of Oregon, California, and Washington, and the other States, who, in my judgment, have been denied for too long a time relief to which they are entitled.

It is my hope that the Senate Public Works Committee and the Senate will take immediate action on the reintroduced disaster relief bill. Prompt action thereon is extremely important because this is emergency legislation and contracts have been advertised for emergency repair work by the Forest Service and other Government agencies having jurisdiction over the repair of damage occasioned by the floods in Oregon and other Western States. Failure to act promptly on this bill would cause tremendous problems in connection with the efforts that we are undertaking to repair the damage of the floods of last winter.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from California.

Mr. MURPHY. I commend the Senator, and would like to add my own voice to this discussion by saying that I was shocked to learn of the veto action taken by the White House, because of certain language which was not put in by the Senate, and which came about through a misunderstanding. It is my hope that the Senate will report the bill promptly, today, regardless of other considerations that the Senate may be engaged in, so that prompt action may be taken in this matter. We are particularly anxious to bring about relief to the people of our State, people whose land was covered with silt and mud, whose means of earning a living was wiped away.

We are still talking about this matter in the month of June, when this occurrence took place in early winter.

My very first job as a U.S. Senator was to tour the disaster area and to observe firsthand the results of the catastrophe. After such an inspection, the need for prompt relief was apparent.

Senator MORSE, shortly after the disaster introduced S. 327, and I was pleased to cosponsor the measure. I am also a member of the Senate Public Works Committee which held hearings on the legislation. Members of the committee were cognizant of the necessity for urgent action, and I understand the delay by the committee was necessitated by the failure of the various departments to submit their reports. After the bill was reported in the Senate on April 22, the majority leader, also appreciative of the emergency nature, promptly scheduled the legislation which was passed by the Senate on April 23. About a month later, S. 327 cleared the House committee and finally passed the House on May 19, 1965. The Senate on May 20 agreed to the House amendments, and most of us felt that at long last funds were to be made available to these flood-stricken victims.

Such was not the case. Although I have not had an opportunity to examine the President's statement regarding the veto, I understand it is based on congressional committee infringement on Executive authority. Specifically, the President objected to that part of section 5 (a) which precluded appropriations for the Eel River in California which had not been approved before June 30, 1966, by resolution adopted by Public Works Committees of the House and the Senate. This is not the first time that this problem has appeared, and I am at a loss to understand why the President selected a disaster bill to voice this objection.

Mr. President, I only hope that the Congress will realize that the delay has been all too long and will expeditiously send this measure, which I am cosponsoring with Senator MORSE, back to the President for his immediate approval.

Mr. MORSE. I thank the Senator for the unfailing efforts he has given to me and my colleague from Oregon in an effort to get disaster relief to our State and to our people.

The Senator from Michigan [Mr. McNAMARA] has handed me a note which indicates that the number of the bill will be S. 2089. The Senator from Michigan



can close his ears when I make this compliment to him, because he is a modest man, but I want the RECORD to show that the Senator from Michigan [Mr. McNAMARA] has never failed us in this effort. Let me add what I have said before: The fact that there has been some delay in relief for the people of the Pacific Northwest has not been due to any dereliction on the part of the Senator from Michigan. We have had complete cooperation from him and his committee.

Mr. McNAMARA. Mr. President, briefly, I want to associate myself with the remarks of the Senator from Oregon and the Senator from California. Our committee will lose no time in the consideration of this matter. We are already working on it. First efforts have been taken already. The bill has a number. We will handle the bill with as much expedition as possible.

Mr. MANSFIELD subsequently said: Mr. President, it is my understanding that the bill, S. 327, which the President vetoed, and which has now been reintroduced as S. 2089, is now being considered by the Public Works Committee. I wish to state for the RECORD that the Senate granted the committee permission to meet during the session of the Senate today. It is my hope that this important bill, which means so much to the people of California, Oregon, Idaho, and Nevada, will be reported to the Senate and passed as expeditiously as possible.

#### SERIOUS AGRICULTURAL LABOR SHORTAGES

Mr. TOWER. Mr. President, I introduce, for appropriate reference, a bill and ask that the text of the bill be printed at the conclusion of my remarks; and also that the bill lie at the desk until next Friday for possible cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the requests of the Senator from Texas are granted.

Mr. TOWER. Mr. President, throughout this year's citrus and vegetable season in California and Florida, Labor Secretary Wirtz has flatly denied that serious agricultural labor shortages existed, in spite of severe crop losses due to insufficient labor.

Eventually, after long congressional and farm industry pressure, the Secretary did allow some limited, temporary admission of foreign workers for California and Florida in accord with the industry's labor source customs and needs.

Now, the Texas fruit and vegetable season is close at hand in many areas, and the Labor Secretary again says there is no labor shortage. In addition, my State has not been so fortunate as California and Florida. The Secretary has not seen fit to allow even limited admission of braceros to help Texas farmers.

Certainly, a labor shortage exists and will grow worse in my State under the Secretary's present procedures. I ask unanimous consent that there be printed at this point in my remarks the May employment outlook reports of the Texas Employment Commission for the

Brownsville, Harlingen, San Benito, and McAllen labor markets. I note that the commission prominently predicts a shortage of vegetable harvest hands.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

MAY 1965.

#### BROWNSVILLE-HARLINGEN-SAN BENITO LABOR MARKET EMPLOYMENT TRENDS AND OUTLOOK

April highlights: An increased demand for farm hands was responsible for an upswing in total employment.

Unemployment rose slightly over March but remained below the estimate for April 1964.

The possibility of a shortage of vegetable harvest hands exists for the spring vegetable harvest.

Summer job seekers will add to the area labor force at the end of the spring school term.

Employment trends: Total employment in Cameron County moved upward over the month and was estimated at 45,000 in mid-April. This figure represented a gain of 220 over the previous month and 870 more than April 1964. All of the March to April increase was credited to seasonal workers as additional hands were utilized in cotton, grain, and vegetable crops.

Manufacturing employment requirements were reduced by 160 over the past month. A number of firms engaged in the processing of seafood products reduced their work force as shrimping operations were curtailed. Personnel cuts by cotton oil mills and vegetable canneries also contributed to the employment losses.

Additional hiring of 130 by firms in the nonmanufacturing industries failed to offset manufacturing losses. The gains were spread throughout a number of industries and no significant trend was evident.

Unemployment up slightly: At mid-April the number of idle workers throughout the county was estimated at 3,200 or 6.6 percent of the total labor force. This was an increase of 80 over the previous month, but 50 less than April 1964. The unexpected increase was attributed to a temporary slowdown in the food and kindred industry.

Forecast: An increased demand for farm labor is in prospect over the next 30- to 45-day period. The harvesting of tomatoes, green beans, and cucumbers, plus cotton crop activity will combine in adding to mounting labor demands.

Manufacturing employment requirements are predicted to increase over the next 60 days. The major part of the gain will be in the food and kindred industry as firms engaged in vegetable canning reach peak production.

MAY 1965.

#### MCALLEN LABOR MARKET EMPLOYMENT TRENDS AND OUTLOOK: HIDALGO AND STARR COUNTIES

April review: A rise in total employment in Hidalgo and Starr Counties was attributed to an increased demand for agricultural workers.

Unemployment dropped sharply as out-migration reached a peak.

Possibility of a farm labor shortage exists for harvesting spring vegetables.

A further rise in employment and a corresponding drop in unemployment is forecast over the next 30 days.

Total employment up: Total employment at mid-April was estimated at 58,450—up some 1,300 from the previous month and 950 from April 1964. An increased demand for farm labor was responsible for the gain.

Manufacturing employment decreased by 250 from 1 month ago. Area canning firms were largely responsible for the reductions as they completed processing of carrots and beets.

Nonmanufacturing workrolls increased by 200 over the past month and partially absorbed the manufacturing losses. The additions were distributed throughout the various industries with mining, construction and wholesale trade showing the most significant gain.

Unemployment drop: Unemployment in Hidalgo and Starr Counties dropped sharply over the past month. At mid-April the number of jobless workers was estimated at 3,620 or 5.8 percent of the total labor force. The April estimate is 1,050 lower than last month, and 630 less than April 1964. The peak departure of migratory workers to other locations was primarily responsible for the drop.

Outlook and forecast: The demand for agricultural labor will increase with the harvesting of tomatoes, cantaloups, green beans, and other vegetables. Activities connected with the approaching cotton harvest will add to mounting labor needs and the possibility of a farmhand shortage exists for May and early June.

The next 60 days will see stepped-up hiring by manufacturers. The food and kindred industry will lead in the hiring as canning plants staff to handle spring vegetable processing.

Employment predictions in the nonmanufacturing grouping point to estimated reductions of 670 over the next 2 months, with further cuts due by mid-August. The decrease is to be expected as vegetable packing sheds complete seasonal operations.

Mr. TOWER. Mr. President, I have been pleased to note from recent correspondence with the Labor Secretary that he is working with the Texas Employment Commission to "meet the labor needs of Texas growers." If he is indeed working with the commission, and if he is attendant to the warnings expressed in the two labor forecasts I have just placed in the RECORD, then there is real reason to hope that bracero workers will soon be admitted to Texas.

The Secretary also informs me that "the primary concern was an anticipated need for Mexicans later in the year to harvest pickling cucumbers." I am pleased to have this further expression of understanding from the Secretary. And I only point out that time continues to drift by and that farmers and ranchers cannot conjure workers overnight. Some definite advance planning must be done, and an early Labor Department decision would do much to permit such planning.

However, these belated Labor Department rulings are too confusing to be allowed to stand as U.S. labor policy for years to come. I hope a more lasting method of meeting the problem can be found, and for that reason I offer legislation.

Mr. President, the bill I introduce today would place agriculture labor recruitment responsibility upon State authorities. The officer of each State principally concerned with agriculture is given responsibility to make a final determination about the number of workers needed to harvest crops.

In the case of Texas that official is the commissioner of agriculture.

This bill would give the States sole jurisdiction over the "finding of a need" for additional foreign workers. The U.S. Attorney General then would supervise the necessary immigration.

Certainly, this would be far more equitable than the present hectic and



In the President's statement on Vietnam on March 25, and again in his historic address at Johns Hopkins University, on April 7, the President invited Asia to respond to his offer of a U.S. role in meeting the basic human needs of the peoples of southeast Asia. The Secretary General of the United Nations and his colleagues in New York, Bangkok, and elsewhere have taken up his invitation to explore institutional and program possibilities. We are gratified that the Asian governments, and notably the Government of Japan, have commenced the study of means to improve the welfare of the peoples of southeast Asia. The greatest contribution to this goal would be, of course, to end violence and to relieve peoples of the burdens they bear today for support of military organizations and operations. But we cannot await tranquillity in the area to begin needed expanded processes of social and economic development. And so we must begin and chart a course which permits those whose ideas and political systems may differ amongst themselves all to participate either as beneficiaries or as donors. Happily the Economic Commission for Asia and the Far East is an institution which benefits from the leadership of the United Nations Secretariat in New York and is currently led by a dedicated group of international servants. To it already belong most of the countries of Asia and the Far East, and adherence of others should not present great difficulties.

We would like to hold open the possibility that a peaceful North Vietnam might share in the benefits that would come from peace itself and also from participation in such multilateral institutions and programs as appear to meet the common need for economic and social development.

The magnificent successes of the Marshall plan in Europe grew from a simple unelaborated idea which took account of political, economic, and security realities. The Marshall plan was not imposed upon Europe. We do not intend to impose a U.S. plan on Asia. However, the President has given us the concept. Both within the Government of the United States and within governments and multilateral institutions elsewhere plans and possibilities are being explored for fulfilling a noble goal.

The President has requested an increase of \$80 million in the authorization for supporting assistance and \$9 million for technical cooperation, all for expanded programs of economic assistance in southeast Asia. Two basic and urgent purposes would be served:

1. These funds would permit the first concrete action in carrying out the President's April 7 proposal to launch an intensified, international campaign to stimulate southeast Asian economic and social progress and promote closer regional economic cooperation. This request and the congressional response to it should, we believe, demonstrate to other prosperous nations and the southeast Asian countries that we are ready to do our part if they do theirs. As Asian institutions and plans are developed, we will prepare for submission to Congress next January, a more complete presentation of requirements for this special effort. When the necessary steps have been taken with respect to the projected Asian Development Bank, we plan to ask for funds to make a U.S. contribution through appropriate legislative channels.

2. These funds also would enable South Vietnam to undertake expansion of industrial production and investment, increased low-cost housing construction, transportation and other public works improvements while carrying out an expanded defense effort.

The expanded development program from southeast Asia will require larger contributions through multilateral arrangements, both existing and newly established, as well

as increased bilateral assistance. The former will include funds fully administered by international bodies—such as the expected U.N.-sponsored consortium for the Nam Ngum Dam in Laos and the proposed Asian Development Bank—as well as funds for projects planned and coordinated by regional agencies but implemented as national projects. Excluded from what we describe as the expanded development effort are our police assistance programs and the large commodity import programs required to sustain the military efforts of weak economies.

In this message to the Congress submitting the foreign assistance proposals last January, the President pointed out that the minimum budget proposed did not allow for major increases which might be required during the year. "If they should arise, he said, 'I shall not hesitate to inform the Congress and request additional funds.'" Anticipating increases in South Vietnam's requirements for economic or military assistance, he asked for a special standby authorization for additional appropriations for our assistance to Vietnam only.

The House of Representatives decided to broaden the proposed standby authorization to cover all southeast Asia. This committee preferred to reserve any further authorization pending specific requests and hearings.

In the past 2 weeks, the size of the additional bilateral U.S. economic aid requirements in Vietnam, Thailand, and Laos has become clearer.

At the same time, it has become evident that our broader purpose of stimulating regional economic cooperation requires prompt action on available multinational projects, without waiting for a complete set of regional institutions to emerge. We propose, therefore, to commit approximately \$19 million to Mekong Basin projects early in fiscal year 1966 if feasibility reviews now under way prove favorable and other conditions are met.

The Mekong water resource projects include:

The Nam Ngum Dam in Laos, serving both Laos and northern Thailand: \$13.5 million. The first stage of this 20,000 kilowatt power project on a Mekong tributary is estimated to cost about \$27 million. The Mekong Committee has asked the World Bank to manage construction, using funds granted by the United States and other advanced countries. Subject to a finding of economic and financial feasibility, we propose to commit the United States to a grant of half of the total cost, provided other countries contribute the balance in grant funds.

A power transmission line linking Vientiane, Laos, and Nongkhai, Thailand, across the Mekong River. Ancillary to this would be an expansion of distribution lines in the Vientiane area. Cost estimate: \$500,000.

Phase II engineering studies of the proposed Pa Mong Dam, a very large Mekong main stream project between Laos and Northeast Thailand: \$4.5 million in fiscal year 1966 technical cooperation funds. Continuation of a long-term study by the U.S. Bureau of Reclamation of this major project of the basin development scheme was dropped from the initial fiscal year 1966 AID presentation because of uncertainty as to the findings of the first phase study on irrigation demand. We are now informed that the Bureau of Reclamation team will recommend going ahead with the engineering reconnaissance, including aerial mapping, site testing, and canal alignment.

Feasibility studies of irrigation dam projects on the Mun and Chi Rivers in northeast Thailand. Acceleration of this work, also by the Bureau of Reclamation, will require an increase of at least \$500,000 in technical cooperation funds above previous estimates.

Nothing is more fundamental to progress in southeast Asia than improved health serv-

ices. The severe shortage of doctors and other health services in the rural areas of Vietnam, Laos, and Thailand has long been a major concern of their Governments and of AID. We propose to intensify our assistance by: Providing additional medical and surgical teams, both military and civilian, to serve sick and injured civilians in provincial and other rural towns of South Vietnam; broadening our assistance to rural public health programs in Thailand, particularly in provision of equipment to provincial hospitals, health centers, and drug distribution agents; and rehabilitating or better equipping rural dispensaries in Laos, supplementing our present extensive health and sanitation program which now provides pharmaceuticals and more than 100 Philippine doctors and nurses who train Lao medics and care for the sick throughout the country.

These additional efforts will require additional supporting assistance, largely in Vietnam, and additional technical cooperation funds, largely in Thailand.

The third field of expanded assistance to the people of southeast Asia is the training and equipping of local engineering and public works agencies for rural development work—simple roads, water wells, irrigation ponds, schools, etc.

We propose expansion of previously planned projects of this sort in northeast Thailand and, for the first time, in the southernmost provinces of Thailand. In Laos, we propose to expand the existing program of training and equipping the highway department staff by applying an on-the-job training approach to the rehabilitation of the road from Vientiane to Luang Prabang.

Rural electrification cooperatives have played an important role in the development of the United States and other countries. In cooperation with the U.S. National Rural Electric Cooperative Association, we propose to help the people of three selected areas of South Vietnam establish electric coops. We hope these pilot projects will become models for bringing light and power for the homes and small industries of southeast Asia within reach of their incomes. This represents \$5.5 million of the supporting assistance increase requested.

Expanded technical assistance to Lao agricultural development, particularly agricultural credit and marketing, and the introduction on a wider scale of improved livestock and seeds are proposed.

Industrial expansion in Vietnam, both now and immediately after the cessation of hostilities, will be essential to the country's rehabilitation and progress toward self-support. Without waiting for peace, we propose to contract with potential private American investors and other expert groups to conduct feasibility studies looking to the establishment of new plants, in such lines of production as fertilizer, cement and kraft paper. Related public works, particularly port development, also will require additional funds for feasibility studies.

The largest element of the supplemental request is for \$45 million in additional supporting assistance to finance Vietnam's commercial imports. In testimony before the congressional committees this spring, we have pointed to the necessity of using a then undetermined amount of the proposed standby authorization for this purpose. In the past 2 weeks, we have been able to refine somewhat our calculations of the impact of increased defense and police budgets and expanded public works and investment programs on the demand for imported goods. We now estimate that in addition to the commodity import support previously programmed for basic support of the economy, about \$45 million will be required to maintain economic growth and avoid destructive inflation.

This increased dependence on our aid results partly from Vietcong interdiction of



rice shipments, rail and road sabotage and terrorism—all combining to prevent any rice export earnings in 1965.

In the eight northern coastal provinces of Vietnam alone, some 215,000 refugees have fled their homes because of Vietcong terror, 9,000 in just the past week. This mass movement of people requires more construction materials, medicines, and food, not to mention the other economic and social consequences of such mass uprootings.

In addition to these war-connected requirements, there is a growing need for investment in urban and rural areas as a demonstration of the government's determination to emerge from this conflict a viable country, dedicated to the long-run task of nation building.

At the same time, further expansion of the Vietnamese armed forces and police and of security forces construction has expanded the demand for goods in the marketplace.

To meet these requirements for basic economic support, we proposed last January in the fiscal 1966 budget now before the Congress, supporting assistance plus such additional amounts later found to be required to support a higher but then undetermined level of Vietnamese military and civil operations. After taking into account currently available estimates of Vietnamese foreign exchange requirements and earnings, including receipts from U.S. military forces in Vietnam, we now see a probable shortfall of \$40 to \$50 million. This request would cover a midpoint in that range of estimates. These funds would finance imports of a variety of goods such as construction materials, pharmaceuticals, fertilizers, pesticides, tires and tubes, and trucks.

We hope, Mr. Chairman, that these programs will meet the approval of the committee and that you will add the request to the pending authorization bill.

Mr. MANSFIELD. Mr. President, an explanation has been made by the distinguished Senator from Oregon [Mr. MORSE] of the proposed additional \$89 million. The Senator from Oregon made that explanation in explaining his position on the Presidential request. I do not feel that I should go into greater detail than he has gone, because he has covered the situation succinctly and to the point, and the issue is clear.

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment offered to the amendment of the Senator from Oregon.

Mr. MORSE. Mr. President, on this question, I wish to have the yeas and nays ordered.

The issue is clearly drawn. My amendment would authorize the President to spend the \$89 million out of the military aid authorization of the bill he sent here, which the committee voted to place before the Senate. The substitute amendment would add another \$89 million to the President's foreign aid program. The President uses the Vietnam issue—which has a great emotional appeal—as the springboard for firing that missile. However, he does not need it; he does not need to have Congress add \$89 million to the bill. It is one thing to authorize him to spend it for this purpose—which I am glad to vote to do; but it is quite another thing for Congress to say to him, "You can have \$89 million more," when we know we have ahead of us a long debate in connection with the elimination of the unconscionable amounts of waste embedded in the President's \$3,380 million proposal.

So all the chairman of the committee has done is to propose that Congress say, "Mr. President, we will give you \$89 million more." I am opposed to that. I suggest that the sensible thing for us to do at this stage is to say to the President, "If you want to spend for this purpose \$89 million of the amount of money you have asked for in the bill, which the Foreign Relations Committee recommends authorizing you to do, we are not going to oppose your spending it for that purpose; but in order to do it, you will have to transfer \$89 million from military funds into your technical assistance and supporting assistance program."

That is the issue.

If the majority leader does not object, I suggest the absence of a quorum, in order to obtain a yeas and nays vote.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I withdraw the proposed amendment to the Morse amendment. I am advised that it is not in order as a substitute for the Morse amendment.

The PRESIDING OFFICER. The amendment will be withdrawn.

#### S. 2089—DISASTER RELIEF FOR CALIFORNIA, OREGON, WASHINGTON, NEVADA, AND IDAHO

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of S. 2089, which has just been reported by the Committee on Public Works.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2089), to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho, for the reconstruction of areas damaged by recent floods and high waters.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the Senate proceeded to consider the bill.

The bill is open to amendment. If there be no amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

#### S. 2089

An Act to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive prop-

erty loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities and, therefore, Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December



1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965."

Mr. COOPER. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MORSE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, let me say in behalf of all the cosponsors of the bill which I introduced, and on be-

half of the people of our States, that we appreciate very much the dispatch with which the Senate, the committee, and the leadership has moved this afternoon.

Also, the committee staffs, majority and minority, deserve the heartfelt thanks of all the people of the States involved. I am sure I am at liberty to express my appreciation—and I do. I am delighted that the Senate has taken this course of action.

Mr. COOPER. Mr. President, I know that all of us were saddened and shocked by the tragic floods which ravaged the Pacific coast in California, Oregon, Washington, and Idaho. When the Senator from Oregon sponsored the bill, together with his colleague [Mrs. NEUBERGER], and all the other Senators interested in speedily rehabilitating their States, the bill was quickly brought before the Committee on Public Works, under the leadership of the Senator from Michigan [Mr. McNAMARA].

As usual, the Senator from Oregon brought before the committee precise information regarding the consequences of the floods which he proposed to remedy, information which was adequate yet reasonable, and enabled the entire committee to support the recommendations.

Senators on both sides of the aisle were happy to do what they could to assist the States whose people had suffered such terrible damage.

I am glad to have been able to work with the chairman, the Senator from Michigan [Mr. McNAMARA]; and I hope that this measure will be of assistance to all the States concerned.

Mr. MORSE. I thank the Senator from Kentucky, the Senator from Michigan, and all others who worked so hard for quick passage of the bill.

#### FOREIGN ASSISTANCE ACT OF 1965

The Senate resumed the consideration of the bill S. 1837 to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays on the Morse amendment.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I suggest the absence of a quorum, in order to bring Senators into the Chamber, and then I shall be ready to vote.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE]. The clerk will call the roll.

Mr. DIRKSEN. Mr. President, I should like to ask the Senator—

Mr. MORSE. Mr. President, I was about to help the minority leader by telling him what my amendment would do. The amendment would authorize the President to spend \$89 million for the economic program which he sets out in his message to Congress. The amendment would not add \$89 million to the \$3,380 million that he has recommended be authorized. It would not allow him to increase his aid program. We say to him, "You may spend the money for this purpose, but you must transfer funds for that purpose from military aid to the extent of \$89 million."

The thesis of my argument is that there is no question that he can take the \$89 million without in any way jeopardizing the aid program, by saving in many other places and spending it for this purpose. The program is already far larger than it ought to be. I would authorize the program, but I would not give the President more money.

Mr. DIRKSEN. Mr. President, the President of the United States has made an earnest request for an extra \$89 million, as did the Secretary of State when he appeared before the Foreign Relations Committee. That money is to be devoted to a variety of economic and social purposes, including the addition of health teams, particularly in Vietnam, but I would assume, also in Laos and Thailand.

When I was in Vietnam the first time, Dienbienphu had not fallen. The French were making preparations to withdraw.

When I went back to Vietnam the second time, I found what a problem confronted this small, unsophisticated country in trying to reorient its economy. We sent people from the Federal Reserve Bank of New York to reconstitute their monetary system. We sent doctors and economic experts to keep the economy afloat. We siphoned many thousands of young men out of Vietnam and put them into training courses under the leadership of "Iron Mike" O'Daniel, to whip the Vietnamese Army of 125,000 into shape.

During that second visit I saw the French merchants withdraw from Saigon and elsewhere and leave the economy on its uppers.

How much worse it must be, in view of the decimation that is taking place at the present time in Vietnam.

The newspapers in this country do not disclose the casualty lists of the Vietnamese Army. If I had to make a guess, I would say at least 30,000 and perhaps more have been killed in battle.

That is really something to withdraw from the economic bloodstream of the country, which is teetering between solvency and bankruptcy.

As I think of the decimation of the industries and farms and places of work, I can readily imagine the situation out there at present to be infinitely worse than when the French finally withdrew.

All this will require some transfusion. What is the use of saving a shell, if it is not a vital, going economy, and if it is on its uppers?

The President makes a request for \$89 million for that purpose. Among other



things, he is including the question of health. What a tremendous incidence of elephantiasis and other tropical diseases must be there, particularly among the civilian population. When we equate \$89 million against the fact that we are spending between one and a half million dollars and \$2 million a day now, and when, according to last reports, we have 61,000 advisers in Vietnam, it would seem to me that it is cheese paring to deny the \$89 million by consolidating it within the total of the foreign aid bill.

I am as anxious as anyone to save on foreign aid. I shall go quite a long way, but I believe that our friend from Oregon picked out the wrong area in which to effectuate an economy. I shall not do it at the expense of a poor beleaguered people where the guns are shattering the instrumentalities of existence and where planes and helicopters are bombing the country and making it increasingly difficult to carry on what little industry they have and what little service industry they have. So the amendment would appear to me to be terribly shortsighted, and I therefore earnestly hope that the amendment will not prevail. That is all I have to say.

Mr. AIKEN. Mr. President, I have been confronted with something of a problem on the proposal. Our minority leader has stated that in recent months we have been successful in killing 30,000 Vietcong. I do not know who has counted them. I do not know how successfully the Vietcong have been in killing Vietnamese. I do not know that anyone has counted them either. I do know that had the President made his proposal 6 months ago, it would probably have been an effective suggestion. I do not know how many people we have killed in North Vietnam in the past 3 or 4 months. I do not know that we shall ever know. It seems that we have started on a course that can lead to all-out nuclear war; and if that is anything to be proud of, let those who feel that way make the most of it.

So far as concerns the request for \$89 million, that is the initial request for a program which it is estimated will cost something like \$1 billion. That would be a very small percentage of the cost of all-out war in dollars, even if we did not consider the cost of life at all—and I do not know how much that would be.

About a month ago, when the President requested the restoration of \$115 million to the foreign aid bill, I made the motion in the Foreign Relations Committee that the President be authorized to spend \$115 million for either peace or war. This would have given him some bargaining power if negotiation could be arranged.

My suggestion was rejected by the administration, which wanted the money for war and defeated in committee. No mention was made of peace.

Mr. President, I am not now in a mood to be very obliging when the administration asks for \$89 million which it does not need at the present time. The administration does not need it now any more than it will need the money on the 1st of July. It can get it on the 1st of July. What it now desires is to prop-

agandize the world into believing that the Congress is unanimously behind any move which the administration chooses to make. For that reason I am voting for the amendment and against the substitute.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. COTTON. Mr. President, my objection to the request for \$89 million is not similar to the objection of the distinguished Senator from Vermont. Involved as we are in Vietnam, having advanced to the place to which we have now advanced, if the President of the United States should request the Congress for money necessary to pursue the course which in his opinion we should pursue in this emergency, I would vote for the amount requested—if it came separate from the foreign aid bill, pinpointed for southeast Asia. But the thing which I resent—is that the appropriation is tied to the foreign aid bill. This which is entirely consistent with certain strategies I have observed, in connection with other administration measures. It is designed to write into the foreign aid bundle an appropriation that has all the appeal of standing behind the President and our boys in Vietnam. This proponent is tied to the foreign aid bill, so that when we come to the final vote on foreign aid, every Senator who votes against the entire bundle can be labeled with the charge that he did not vote for an appropriation needed by our President and our troops who are desperately fighting in Vietnam.

If the administration requires money for the emergency—and, unlike the Senator from Vermont, I am not questioning the need of standing by the President on the proposal—I wish the request would come separately, because I cannot resist the suspicion that the proposal is buried in the bill as a whip to make us vote for the whole package.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. COTTON. I am glad to yield.

Mr. AIKEN. The Senator from Vermont is not questioning in any sense of the word the need for standing by the President if the security of the United States is really threatened and we become engaged in an all-out war—and we are close to it now. But I agree with the Senator from New Hampshire that we should not conduct a war under the guise of the foreign aid program.

Mr. COTTON. I thank the Senator. If I misinterpreted his statement, I apologize. I now clearly understand what he meant, and I agree with him 100 percent. This is an emergency in which, in my opinion, we must support the President, and we must support the war effort. But to put the proposal in the present bill, instead of calling for separate legislation, is to me a very transparent effort to put us in a position in which we must swallow the whole package or else we shall be charged with doing something to endanger the safety of this country, and are failing to show the world that the Congress of the United States is behind the President in this time of need.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. COTTON. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. First, I agree with the Senator from New Hampshire that Congress has the responsibility for providing the necessary funds to wage war in Vietnam, and as one Member of the Senate, I shall vote whatever is necessary without any strings attached. I agree with the Senator that as long as we have men dying on the battlefield, we must provide the funds, for the arms, and whatever is needed without any limitation.

However this proposal for the expenditure of an extra \$89 million has nothing whatever to do with the war effort. \$5 million of that amount authorizes the start of the development of the Mekong River Basin project, which eventually would cost us \$1 billion, as yet this project has never been approved by the Congress. If we now approve this \$5 million, it will be thought that Congress is committed to go through with this billion dollar project.

It is proposed that \$19 million of the amount would be spent for electrical co-operatives in South Vietnam; medical services, \$7 million; training and small scale village projects in Laos and Thailand, \$6 million; commodity imports, \$45 million; agricultural development and industrial expansion, \$7 million—a total of \$89 million. Not a dime in the proposal would involve the war effort. Furthermore adequate authority and funds are already in the bill if the President deems their expenditures necessary.

The other day the administration wanted \$700 million; for the war effort in Vietnam. We voted that money to provide the necessary equipment for our Armed Forces in Vietnam.

I would vote for it again tomorrow if such action is needed. However, I think it most unwise to include \$89 million which is not a part of the war effort and with no more study than has been given to this proposal. The impression would go out through all this area that Congress is committing itself to these multi-billion dollar projects, although we never considered their feasibility.

Mr. COTTON. I thank the distinguished Senator from Delaware. I have practically finished all I desired to say. The distinguished Senator from Delaware is, as usual, accurate and thorough in his analysis. Whether the \$89 million is designed for the actual conduct of the defense of South Vietnam or is to be used for internal developments of the country, when we pick up the newspapers after the vote, on foreign aid, and when we listen to the orators in the next campaign—I am not running in the next campaign, so I feel free to say this—when we listen to the administration orators—the people will be told that when this country was desperately fighting to maintain American prestige abroad, and when our boys were fighting over there, Senators who voted against this foreign aid package refused to back the President. That is why I resent this special authorization being tucked into this bill.







89TH CONGRESS  
1ST SESSION

# S. 2089

---

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1965

Referred to the Committee on Public Works

---

## AN ACT

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*  
3   That Congress hereby recognizes (1) that the States of  
4   California, Oregon, Washington, Nevada, and Idaho have  
5   experienced extensive property loss and damage as the  
6   result of floods and high waters during December 1964, and  
7   January and February 1965, (2) that much of the affected  
8   area is federally owned and administered, and (3) that the  
9   livelihood of the people in the area is dependent on prompt  
10  restoration of transportation facilities, and therefore Congress



1 declares the need for special measures designed to aid and  
2 accelerate those States in their efforts to provide for the  
3 reconstruction of devastated areas.

4       SEC. 2. There is authorized to be appropriated, out of  
5 any money in the Treasury not otherwise appropriated, in  
6 addition to the amounts authorized in section 125 of title  
7 23 of the United States Code, not to exceed \$50,000,000 for  
8 the fiscal year ending June 30, 1965, and not to exceed  
9 \$20,000,000 for the fiscal year ending June 30, 1966. Such  
10 sums shall be obligated and expended by the Secretary of  
11 Commerce in accordance with such section 125, and related  
12 provisions of title 23 of the United States Code for the repair  
13 and reconstruction of highways, roads, and trails, damaged  
14 as the result of a disaster.

15       SEC. 3. (a) Notwithstanding provisions of existing con-  
16 tracts, the Secretary of the Interior and the Secretary of  
17 Agriculture, separately, and as part of the regular road and  
18 trail construction program, shall reimburse timber sale con-  
19 tractors or otherwise arrange to bear road and trail con-  
20 struction and restoration costs either directly or in coopera-  
21 tion with timber purchasers to the extent of costs determined  
22 by the respective Secretary as incurred or to be incurred for  
23 restoring roads in any stage of construction authorized by a  
24 contract for the purchase of timber from lands under his  
25 jurisdiction to substantially the same condition as existed

1 prior to the damage resulting from the floods of December  
2 1964, and January and February of 1965 in California,  
3 Oregon, Washington, Nevada, and Idaho, and to the extent  
4 costs determined by the respective Secretary as incurred or  
5 to be incurred for completing road construction not performed  
6 under any such contract prior to the floods but which, be-  
7 cause of changed conditions resulting from the floods, exceed  
8 road construction costs as originally determined by the re-  
9 spective Secretary. The costs for such road restoration, re-  
10 construction, and construction under any single timber pur-  
11 chase contract on roads not accepted prior to the floods,  
12 whether construction was complete, partial, or not yet begun,  
13 shall be borne as follows: 15 per centum of all amounts shall  
14 be borne by the timber purchaser, except that such purchaser  
15 shall not be required to bear costs of more than \$4,500, and  
16 the Secretary shall bear the remaining portion of such costs.  
17 This subsection shall not apply (1) in the case of any road  
18 restoration or reconstruction if the cost of such restoration  
19 or reconstruction is less than \$500, and (2) in the case  
20 of any road construction if the increase in the cost of such  
21 construction as the result of the floods is less than \$500 more  
22 than the construction costs as originally determined by the  
23 respective Secretary.

24 (b) Where the Secretary determines that damages are  
25 so great that restoration, reconstruction, or construction is



1 not practical under the cost-sharing arrangement authorized  
2 by subsection (a) of this section, the Secretary may allow  
3 cancellation of the contract notwithstanding provisions  
4 therein.

5 (c) Paragraph (3) of section 2 of the Federal-Aid  
6 Highway Act of 1964 is amended to read as follows:

7 “(3) For forest development roads and trails, \$123,-  
8 000,000 for the fiscal year ending June 30, 1966, of which  
9 not to exceed \$38,000,000 shall be used solely for the con-  
10 struction, repair, and reconstruction of forest development  
11 roads and trails in the States of California, Oregon, Wash-  
12 ington, Nevada, and Idaho, necessary because of the floods  
13 and high waters in such States during December 1964, and  
14 January and February 1965, and \$85,000,000 for the fiscal  
15 year ending June 30, 1967.”

16 (d) The Secretary of Agriculture is authorized to reduce  
17 to seven days the minimum period of advance public notice  
18 required by the first section of the Act of June 4, 1897 (16  
19 U.S.C. 476), in connection with the sale of timber from  
20 national forests, whenever the Secretary determines that the  
21 sale of such timber will assist in the reconstruction of any  
22 area of California, Oregon, Washington, Nevada, and Idaho  
23 damaged by floods or high waters during December 1964,  
24 and January and February 1965.

25 SEC. 4. The Secretary of the Interior is authorized to

1 give any public land entryman such additional time in which  
2 to comply with any requirement of law in connection with  
3 any public land entry for lands in California, Oregon, Wash-  
4 ington, Nevada, and Idaho, as the Secretary finds appro-  
5 priate because of interference with the entryman's ability  
6 to comply with such requirement resulting from floods and  
7 high waters during December 1964, and January and  
8 February 1965.

9       SEC. 5. (a) The President, acting through the Office  
10 of Emergency Planning, shall make a survey to determine  
11 what protective works would be necessary to prevent the  
12 recurrence of damage by floods or high waters to those banks  
13 of the Eel River, California, which are adjacent to the track-  
14 age of any common carrier by railroad and shall report to  
15 Congress the results of such survey together with the cost  
16 of any recommended work within sixty days after the date  
17 of enactment of this Act. The President, acting through  
18 the Office of Emergency Planning, is authorized to perform  
19 all or any part of the recommended work determined to be  
20 in the public interest and to reimburse any common carrier  
21 for any of such recommended work performed by such  
22 carrier. The Corps of Engineers of the United States Army  
23 shall be used to make the survey authorized by this section,  
24 shall recommend necessary work that has been determined  
25 by the President acting through the Office of Emergency



1 Planning to be in the public interest, and shall be used to  
2 supervise any work authorized to be performed under this  
3 section.

4 (b) There is authorized to be appropriated not to ex-  
5 ceed \$3,875,000 to carry out this section.

6 SEC. 6. Loans made pursuant to paragraph (1) of sec-  
7 tion 7 (b) of the Small Business Act (15 U.S.C. 636 (b) )  
8 for the purpose of replacing, reconstructing, or repairing  
9 dwellings in California, Oregon, Washington, Nevada, and  
10 Idaho, damaged or destroyed by the floods and high waters  
11 of December 1964, and January and February 1965, may  
12 have a maturity of up to thirty years, except that section  
13 7 (c) of such Act shall not apply to such loans.

14 SEC. 7. This Act, other than section 5 and the amend-  
15 ment made by section 3 (c) , shall not be in effect after June  
16 30, 1966, except with respect to payment of expenditures  
17 for obligations and commitments entered into under this Act  
18 on or before such date.

19 SEC. 8. This Act may be cited as the "Pacific Northwest  
20 Disaster Relief Act of 1965".

Passed the Senate June 7, 1965.

Attest:

FELTON M. JOINSTON,

*Secretary.*



---

## AN ACT

---

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

JUNE 8, 1965

Referred to the Committee on Public Works







# Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE  
Washington, D. C. 20250  
Official Business Postage and Fees Paid  
U. S. Department of Agriculture

Issued June 10, 1965  
For actions of June 9, 1965  
89th-1st; No. 104



### CONTENTS

Beef imports.....	24	Forestry.....	13	Poultry.....	15
Cotton.....	22	40-hour week.....	6	Poverty.....	12
Debt limit.....	9,20	Health benefits.....	6	Public works.....	28
Detail of personnel.....	6	Housing.....	11	Research.....	25
Disaster relief.....	8	Loans.....	5	Rice.....	23
Farm labor.....	3	Marketing orders.....	27	Roads.....	17
Farm loans.....	5	Milk.....	14	Tariff.....	10
Farm prices.....	18	Natural beauty.....	16	Travel costs.....	6
Farm program.....	2	Nectarines.....	27	Water research.....	25
Feed grains.....	22	Opinion poll.....	21	Water sheds.....	4
Foreign aid.....	1	Personnel.....	6,26	Weights and measures....	19
Foreign trade.....	7	Plums.....	27		

HIGHLIGHTS: Sen. Ellender introduced farm bills and announced hearings, and he and Sen. Williams, Del., discussed this subject. Senate debated foreign aid authorization. Sen. Williams, N.J., defended Secretary Wirtz regarding Mexican farm labor program. House committee reported revised disaster relief bill. House Rules Committee cleared housing bill. Sen. Tower submitted and discussed measure to curtail beef imports when danger of foot-and-mouth disease.

### SENATE

1. FOREIGN AID. Continued debate on S. 1837, the foreign aid authorization bill. pp. 12566-73, 12588-603
2. FARM PROGRAM. In connection with introduction of a farm bill, Sen. Ellender announced hearings to begin June 16, discussed various farm-program proposals, and discussed the cotton program with Sen. Williams, Del. pp. 12503-6
3. FARM LABOR. Sen. Williams, N. J., defended the actions of Secretary Wirtz regarding the question as to whether the Mexican farm labor program should be continued, and Sen. Inouye inserted articles which, he said, indicated that some Calif. growers are not sorry to see discontinuance of the program. pp. 12603-12
4. WATERSHEDS. Received from the Budget Bureau plans for works of improvement for Crooked Creek, Ala.; Haney Creek, Ark.; Upper Crooked Creek, Ark.; Muddy Fork of Silver Creek, Ind.; Cub Creek, Nebr.; Assumpink Creek, N. J.; St. Thomas Lodge,



and Buffalo Creek, Ohio; to Agriculture and Forestry Committee. Also Lower Little Tallapoosa River, Ga.; Uncle John Creek, Okla.; Wilson Spring Creek, Tenn.; Attoyac Bayou, Tex.; Castleman Creek, Tex.; and Donahue Creek, Tex.; to Public Works Committee. p. 12502

5. FARM LOANS. Received from this Department a proposed bill to amend the Consolidated Farmers Home Administration Act so as to permit release of valueless liens; to Agriculture and Forestry Committee. p. 12502

6. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 1496, to repeal the act which prohibits the detail of field personnel to duty in D. C. except for performance of duties in connection with their field offices (S. Rept. 309); with amendment S. 1495, to permit variation of the 40-hour work-week of Federal employees for educational purposes (S. Rept. 310); and without amendment H. R. 1782, to amend the Retired Federal Employees Health Benefits Act with respect to Government contribution for expenses incurred in administration of the Act (S. Rept. 307). p. 12502

Received from the Civil Service Commission a proposed bill to amend Sec. 7 of the Administrative Expenses Act of 1946 so as to provide for payment of travel cost for applicants invited by a department to visit it for purposes connected with employment; to Government Operations Committee. p. 12502

7. FOREIGN TRADE. Sen. Hartke spoke in favor of S. 2045, his bill to improve the operation and administration of the Antidumping Act of 1921. pp. 12540-1

#### HOUSE

8. DISASTER RELIEF. The Public Works Committee reported without amendment S. 2089, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters (H. Rept. 482). (p. 12497). This bill is a substitute for S. 327, which was vetoed by the President.

9. DEBT LIMIT. By a vote of 229 to 164, passed without amendment H. R. 8464, to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act. pp. 12431-50, 12475

10. TARIFF. Passed as reported H. R. 4493, to continue through June 30, 1967, the existing suspension of duties for metal scrap. pp. 12450-1

Passed without amendment H. R. 5768, to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk. p. 12451

Passed as reported H. R. 7621, to amend title I of the Tariff Act of 1930 to limit button blanks to raw or crude blanks suitable for manufacture into buttons. p. 10451-2

11. HOUSING. The "Daily Digest" states that the Rules Committee "Granted an open rule, waiving points of order, with 2 hours of general debate, making H.R. 8822 in order to be offered a substitute, on H. R. 6927, to establish a Department of Housing and Urban Development." p. D504

Rep. Dwyer commended the above action and inserted the text of her testimony on H. R. 8822. pp. 12480-1

PROVIDING ASSISTANCE TO THE STATES OF OREGON,  
WASHINGTON, CALIFORNIA, NEVADA, AND IDAHO FOR  
THE RECONSTRUCTION OF AREAS DAMAGED BY  
RECENT FLOODS AND HIGH WATERS

---

JUNE 9, 1965.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

---

Mr. JONES of Alabama, from the Committee on Public Works, sub-  
mitted the following

R E P O R T

[To accompany S. 2089]

The Committee on Public Works, to whom was referred the bill (S. 2089) to provide assistance to the States of Oregon, Washington, California, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill and the facts which recommend its enactment are set forth below in the language which is quoted from Senate Report 276, filed by the Committee on Public Works of the Senate:

GENERAL STATEMENT

S. 2089 is identical, with one exception, to S. 327 as enacted by the Congress and vetoed by the President on June 5, 1965. S. 327 was passed by the Senate on April 23, 1965, and by the House of Representatives on May 19, 1965, after amendment by the House by insertion of the language of H.R. 7303, which had previously been enacted by the House. The Senate concurred in the House amendments on May 20, 1965. The provisions of S. 327 as enacted by the Congress are set forth, and the measure is explained in House Report 310 which accompanied H.R. 7303. That report is applicable to S. 2089 with exception to the one provision discussed below.

The provisions of S. 327 which the President has described as "unwise and objectionable" is contained in that part of section 5(a) stipulating that:

"The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier, but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and House of Representatives, respectively."

S. 2089 deletes the italicized language which the President found objectionable in the parent bill, S. 327, and terminates the second sentence of section 5(a) with the word "carrier."

#### COMMITTEE VIEWS

Because of the emergency nature of the original Pacific Northwest disaster relief legislation, the Senate concurred in the amendment by the House of Representatives which has been the object of the President's veto. And because of the continuing emergency and the need to prevent further delay in bringing relief to the hard-pressed people and communities of the Pacific Northwest, the committee consents to the views of the President and recommends deletion of that provision of section 5(a) to which the President has objected. Such consent, however, does not necessarily imply committee agreement with the President's view that the objectionable language constitutes an "improper encroachment by the Congress and its committees."

#### COMMITTEE RECOMMENDATION

The committee fully concurs in the report of the Committee on Public Works of the Senate on S. 2089. It would particularly emphasize the fact that it agrees strongly with that language in the Senate committee report which states:

Such consent, however, does not necessarily imply committee agreement with the President's view that the objectionable language constitutes an improper encroachment by the Congress and its committees.

The committee is well aware of the emergency situation in the Pacific Northwest and the need for this disaster relief legislation. For that reason, it recommends the enactment of S. 2089 as reported.



# Union Calendar No. 217

89TH CONGRESS  
1ST SESSION

## S. 2089

[Report No. 482]

---

### IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1965

Referred to the Committee on Public Works

JUNE 9, 1965

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

---

## AN ACT

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*  
3        That Congress hereby recognizes (1) that the States of  
4        California, Oregon, Washington, Nevada, and Idaho have  
5        experienced extensive property loss and damage as the  
6        result of floods and high waters during December 1964, and  
7        January and February 1965, (2) that much of the affected  
8        area is federally owned and administered, and (3) that the  
9        livelihood of the people in the area is dependent on prompt  
10       restoration of transportation facilities, and therefore Congress

1 declares the need for special measures designed to aid and  
2 accelerate those States in their efforts to provide for the  
3 reconstruction of devastated areas.

4       SEC. 2. There is authorized to be appropriated, out of  
5 any money in the Treasury not otherwise appropriated, in  
6 addition to the amounts authorized in section 125 of title  
7 23 of the United States Code, not to exceed \$50,000,000 for  
8 the fiscal year ending June 30, 1965, and not to exceed  
9 \$20,000,000 for the fiscal year ending June 30, 1966. Such  
10 sums shall be obligated and expended by the Secretary of  
11 Commerce in accordance with such section 125, and related  
12 provisions of title 23 of the United States Code for the repair  
13 and reconstruction of highways, roads, and trails, damaged  
14 as the result of a disaster.

15       SEC. 3. (a) Notwithstanding provisions of existing con-  
16 tracts, the Secretary of the Interior and the Secretary of  
17 Agriculture, separately, and as part of the regular road and  
18 trail construction program, shall reimburse timber sale con-  
19 tractors or otherwise arrange to bear road and trail con-  
20 struction and restoration costs either directly or in coopera-  
21 tion with timber purchasers to the extent of costs determined  
22 by the respective Secretary as incurred or to be incurred for  
23 restoring roads in any stage of construction authorized by a  
24 contract for the purchase of timber from lands under his  
25 jurisdiction to substantially the same condition as existed

1 prior to the damage resulting from the floods of December  
2 1964, and January and February of 1965 in California,  
3 Oregon, Washington, Nevada, and Idaho, and to the extent  
4 costs determined by the respective Secretary as incurred or  
5 to be incurred for completing road construction not performed  
6 under any such contract prior to the floods but which, be-  
7 cause of changed conditions resulting from the floods, exceed  
8 road construction costs as originally determined by the re-  
9 spective Secretary. The costs for such road restoration, re-  
10 construction, and construction under any single timber pur-  
11 chase contract on roads not accepted prior to the floods,  
12 whether construction was complete, partial, or not yet begun,  
13 shall be borne as follows: 15 per centum of all amounts shall  
14 be borne by the timber purchaser, except that such purchaser  
15 shall not be required to bear costs of more than \$4,500, and  
16 the Secretary shall bear the remaining portion of such costs.  
17 This subsection shall not apply (1) in the case of any road  
18 restoration or reconstruction if the cost of such restoration  
19 or reconstruction is less than \$500, and (2) in the case  
20 of any road construction if the increase in the cost of such  
21 construction as the result of the floods is less than \$500 more  
22 than the construction costs as originally determined by the  
23 respective Secretary.

24 (b) Where the Secretary determines that damages are  
25 so great that restoration, reconstruction, or construction is



1 not practical under the cost-sharing arrangement authorized  
2 by subsection (a) of this section, the Secretary may allow  
3 cancellation of the contract notwithstanding provisions  
4 therein.

5 (c) Paragraph (3) of section 2 of the Federal-Aid  
6 Highway Act of 1964 is amended to read as follows:

7 “(3) For forest development roads and trails, \$123,-  
8 000,000 for the fiscal year ending June 30, 1966, of which  
9 not to exceed \$38,000,000 shall be used solely for the con-  
10 struction, repair, and reconstruction of forest development  
11 roads and trails in the States of California, Oregon, Wash-  
12 ington, Nevada, and Idaho, necessary because of the floods  
13 and high waters in such States during December 1964, and  
14 January and February 1965, and \$85,000,000 for the fiscal  
15 year ending June 30, 1967.”

16 (d) The Secretary of Agriculture is authorized to reduce  
17 to seven days the minimum period of advance public notice  
18 required by the first section of the Act of June 4, 1897 (16  
19 U.S.C. 476), in connection with the sale of timber from  
20 national forests, whenever the Secretary determines that the  
21 sale of such timber will assist in the reconstruction of any  
22 area of California, Oregon, Washington, Nevada, and Idaho  
23 damaged by floods or high waters during December 1964,  
24 and January and February 1965.

25 SEC. 4. The Secretary of the Interior is authorized to

1 give any public land entryman such additional time in which  
2 to comply with any requirement of law in connection with  
3 any public land entry for lands in California, Oregon, Wash-  
4 ington, Nevada, and Idaho, as the Secretary finds, appro-  
5 priate because of interference with the entryman's ability  
6 to comply with such requirement resulting from floods and  
7 high waters during December 1964, and January and  
8 February 1965.

9       SEC. 5. (a) The President, acting through the Office  
10 of Emergency Planning, shall make a survey to determine  
11 what protective works would be necessary to prevent the  
12 recurrence of damage by floods or high waters to those banks  
13 of the Eel River, California, which are adjacent to the track-  
14 age of any common carrier by railroad and shall report to  
15 Congress the results of such survey together with the cost  
16 of any recommended work within sixty days after the date  
17 of enactment of this Act. The President, acting through  
18 the Office of Emergency Planning, is authorized to perform  
19 all or any part of the recommended work determined to be  
20 in the public interest and to reimburse any common carrier  
21 for any of such recommended work performed by such  
22 carrier. The Corps of Engineers of the United States Army  
23 shall be used to make the survey authorized by this section,  
24 shall recommend necessary work that has been determined  
25 by the President acting through the Office of Emergency

1 Planning to be in the public interest, and shall be used to  
2 supervise any work authorized to be performed under this  
3 section.

4 (b) There is authorized to be appropriated not to ex-  
5 ceed \$3,875,000 to carry out this section.

6 SEC. 6. Loans made pursuant to paragraph (1) of sec-  
7 tion 7 (b) of the Small Business Act (15 U.S.C. 636 (b) )  
8 for the purpose of replacing, reconstructing, or repairing  
9 dwellings in California, Oregon, Washington, Nevada, and  
10 Idaho, damaged or destroyed by the floods and high waters  
11 of December 1964, and January and February 1965, may  
12 have a maturity of up to thirty years, except that section  
13 7 (c) of such Act shall not apply to such loans.

14 SEC. 7. This Act, other than section 5 and the amend-  
15 ment made by section 3 (c) , shall not be in effect after June  
16 30, 1966, except with respect to payment of expenditures  
17 for obligations and commitments entered into under this Act  
18 on or before such date.

19 SEC. 8. This Act may be cited as the "Pacific Northwest  
20 Disaster Relief Act of 1965".

Passed the Senate June 7, 1965.

Attest:

FELTON M. JOHNSTON,

*Secretary.*





80TH CONGRESS  
1ST SESSION

**S. 2089**

[Report No. 482]

---

## **AN ACT**

---

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

JUNE 8, 1965

Referred to the Committee on Public Works

JUNE 9, 1965

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed







June 19, 1965

15. PEACE CORPS. The "Daily Digest" states that the Foreign Affairs Committee "ordered a clean bill introduced and reported favorably to the House regarding the extension of the Peace Corps Act." p. D512
16. DISASTER RELIEF. The "Daily Digest" states that the Rules Committee "Granted an open rule....on S.2089," the revised disaster relief bill. p. D513
17. ECONOMIC POLICY. Rep. Hanna expressed disappointment with the recent speech by Federal Reserve Chairman Martin and inserted an article, "Federal Reserve Restrictions Raise Some Issues." pp. 12799-80
18. NATURAL BEAUTY. Rep. Sweeney commended the President's efforts to beautify America stating that the job "lies as much with Americans as with Government." pp. 12800-1
19. PERSONNEL. Rep. Nelsen criticized the Civil Service Commission for the "listless approach" it has taken in resolving the cases of Rural Electrification Administration officials charged with "soliciting civil service workers for political campaign funds." pp. 12801-2  
The Post Office and Civil Service Committee reported without amendment H. R. 432 to amend the Federal Employees' Group Life Insurance Act of 1954 and the Civil Service Retirement Act with regard to filing designation of beneficiary (H. Rept. 508). p. 12826
20. GRAINS. Rep. Findley criticized the provision in H. R. 8629 "which would substitute the use of wheat for industrial purposes at the expense of feed grain farmers." pp. 12803-4
21. FARM LABOR. Rep. Talcott inserted a commentary on administration efforts to recruit farm workers, "Agricultural Labor or a Social Experiment?" pp. 12804-5
22. HOUSING. Rep. Dwyer listed bills similar to her bill H. R. 8822, to establish a Department of Housing and Urban Development, and urged its enactment. p. 12806
23. EXPORT CONTROL. Rep. Grabowski spoke in support of the bill amending the Export Control Act. pp. 12822-3
24. LEGISLATIVE PROGRAM. Rep. Albert announced that on Tues. and the balance of the week the House would consider S. 2089, the revised disaster relief bill, and H. R. 6927, establishing a Dept. of Housing and Urban Development. p. 12775
25. ADJOURNED until Mon., June 14. p. 12826

BILLS INTRODUCED

26. PERSONNEL. H. R. 8955 by Rep. Krebs, H. R. 8961 by Rep. Addabbo, and H.R. 8995 by Rep. Gilbert, to amend section 8(b) (4) of the National Labor Relations Act, as amended, with respect to strike at the sites of construction projects; to Education and Labor Committee. Remarks of Rep. Gilbert p. 12820  
H. R. 8960 by Rep. Sickles, to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to Post Office and Civil Service Committee.

27. COTTON. H. R. 8963 thru H. R. 8988, H. R. 8991 by Rep. Talcott; H. R. 8992 by Rep. Wilson, H. R. 8996 by Rep. Quie, and H. R. 8997 by Rep. Rosenthal, to repeal the release and reallocation provisions for cotton allotments; to Agriculture Committee.
28. WEIGHTS & MEASURES. H. R. 8957 by Rep. Quie, to provide that the National Bureau of Standards shall conduct a program of investigation, research, and survey to determine the practicability of the adoption by the United States of the metric system of weights and measures; to Science and Astronautics Committee.
28. LOANS. H. R. 8959 by Rep. Schmidhauser, to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to authorize the Secretary of Agriculture to make or insure loans to public and quasi-public agencies and corporations not operated for profit with respect to water supply and water systems serving rural areas and to make grants to aid in rural community development planning and in connection with the construction of such community facilities, to increase the annual aggregate of insured loans thereunder; to Agriculture Committee.
29. LUNCH PROGRAM. S. 2121 by Sen. Ribicoff, to protect the health and well-being of the Nation's children by establishing a special summer lunch program; to Agriculture and Forestry Committee. Remarks of author pp. 12726-30

ITEMS IN APPENDIX

30. FOOD PRICES. Extension of remarks of Rep. May inserting a letter and stating that it comments on the food-price situation and makes a "very sound analysis of why food continues to be a real bargain for the American consumer." pp. A2010-1
31. FOOD. Rep. Grover inserted articles on the development of Long Island duck and strawberry industry. pp. A3020-1
32. OPINION POLL. Rep. Whitener inserted the results of a questionnaire, including items of interest to this Department. p. A3022
33. LIBRARIES. Extension of remarks of Rep. Widnall stating that the "importance of a superior library system to the Nation cannot be questioned", and inserting a speech on the responsibilities of libraries. pp. A3028-9

0

COMMITTEE HEARINGS JUNE 11:

Surplus property donation program, S. Gov't Operations (Mangham to testify).

Amendments to Clean Air Act, H. Interstate.



the State of Utah. Heard testimony from Senators Moss and Bennett; Representatives King and Burton; an official of the U.S. Park Service; and a public witness.

#### CLEAN AIR ACT

*Committee on Interstate and Foreign Commerce:* Subcommittee on Public Health and Welfare held a hearing regarding amendment of the Clean Air Act of 1964. Heard testimony from James M. Quigley, Assistant Secretary, Health, Education, and Welfare; and Representatives Long of Maryland, Daddario, Halpern, Green of Pennsylvania, and Gibbons. Hearings continue Friday, June 11.

#### ANNOUNCEMENT—RAILWAY LABOR ACT

*Committee on Interstate and Foreign Commerce:* Subcommittee on Transportation and Aeronautics will continue public hearings on H.R. 701, H.R. 704, and H.R. 706 (similar bills), to amend the Railway Labor Act, Tuesday, June 15.

#### COPYRIGHT

*Committee on the Judiciary:* Subcommittee No. 3 met in executive session and ordered reported favorably to the full committee H.R. 6964 (amended), to facilitate the rehabilitation of persons convicted of Federal offenses by authorizing the Attorney General to allow prisoners greater mobility while under sentence. Held an open hearing on H.R. 4347, and related bills, to revise the copyright laws. Testimony was given by public witnesses.

#### VESSEL INSPECTION

*Committee on Merchant Marine and Fisheries:* Subcommittee on Oceanography met in executive session and ordered reported favorably to the full committee S. 627 (amended) (in lieu of H.R. 3419, and identical bills), to exempt oceanographic research vessels from the application of certain vessel inspection laws.

#### FEDERAL EMPLOYEES' PAY

*Committee on Post Office and Civil Service:* Subcommittee on Compensation resumed hearings on the Federal employees' pay increase. Testimony was given by Elmer B. Staats, Deputy Director, Bureau of the Budget; and Ewan Clague, Commissioner, Bureau of Labor Statistics.

#### PUBLIC WORKS

*Committee on Public Works:* Considered in executive session H.R. 6991, the Public Works and Economic Development Act of 1965. No announcements were made. Adjourned until Tuesday, June 15, 1965.

#### PACIFIC COAST DISASTER BILL

*Committee on Rules:* Granted an open rule with 1 hour of debate, waiving points of order, on S. 2089, the

Pacific coast disaster bill. Testimony was given by Representative Johnson of California.

#### HOUSING—URBAN DEVELOPMENT

*Committee on Rules:* Held a hearing on H.R. 7984, the Housing and Urban Development Act of 1965. Adjourned hearings until Tuesday, June 15, 1965.

#### AUTOMOTIVE PRODUCTS AGREEMENT

*Committee on Ways and Means:* Met in executive session on H.R. 6960, regarding the U.S.-Canada Automotive Products Agreement. No announcements were made. Adjourned until Tuesday, June 15.

### Joint Committee Meetings

#### FOOD IRRADIATION PROGRAM

*Joint Committee on Atomic Energy:* The Research, Development, and Radiation Subcommittee continued its hearings on the subject of preservation of food through the use of ionizing radiation. Witnesses were Edgar A. Taylor, Department of Agriculture; Robert S. Roe, Food and Drug Administration, Department of HEW; Anthony A. Bertsch, Interdepartmental Committee for Radiation Preservation of Food; Dr. Bernard S. Schweigert, department of food science, Michigan State University; Dr. Bernard Manowitz, Department of Nuclear Engineering, Brookhaven; Dr. H. W. Koch, Division of Radiation Physics, National Bureau of Standards; Dr. Walter M. Urbain, director of research and engineering, Swift & Co.; E. S. Kendrick, Holly Farms Poultry Industries, Inc.; Robert Love, Gordon's of Gloucester; Dr. Roy Morse, Thomas J. Lipton, Inc.; and Zalman M. Shapiro, Nuclear Materials & Equipment Corp.

Hearings were adjourned subject to call.

#### ORGANIZATION OF CONGRESS

*Joint Committee on the Organization of the Congress:* Committee continued its hearings on various proposed changes in the organization of Congress, receiving testimony from the following witnesses: Dr. William Eliott, American University; Dr. Alfred de Grazia, professor of government, New York University; Dr. E. Foster Dowell, Oklahoma City University; and former Congressman Fred Schwengel.

Hearings continue on Monday, June 21, to hear public witnesses.

#### NASA AUTHORIZATIONS

*Conferees,* in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 7717, fiscal 1966 authorizations for the National Aeronautics and Space Administration. As approved by the conferees, the bill would authorize a total of \$5,190,396,200.



Next meeting of the SENATE  
11:00 a.m., Friday, June 11

Next meeting of the HOUSE OF REPRESENTATIVES  
12:00 noon, Monday, June 14

## PRESIDENTIAL SUCCESSION AND INABILITY

*Conferees* met in executive session to resolve the differences between the Senate- and House-passed versions of S.J. Res. 1, proposing an amendment to the Constitution relating to succession to the Presidency and Vice Presidency and to cases of Presidential inability, but did not reach agreement, and recessed subject to call.

## COMMITTEE MEETINGS FOR FRIDAY, JUNE 11

(All meetings are open unless otherwise designated)

### Senate

*Committee on Appropriations*, subcommittee, on H.R. 7765, Labor-HEW appropriations, to hear public witnesses, 10 a.m., 1224 New Senate Office Building.

*Committee on Commerce*, Merchant Marine and Fisheries Subcommittee, on pending merchant marine bills (S. 945, 1917, and 2069), 10 a.m., 5110 New Senate Office Building.

*Committee on Foreign Relations*, executive, to receive a briefing from Ambassador Maxwell Taylor on the situation in Vietnam, 9 a.m., room S-116, Capitol.

Ad Hoc Subcommittee, on S. 1903, re U.S. representation in the U.N., and S.J. Res. 71, re U.S. membership and participation in the South Pacific Commission, 10 a.m., 4221 New Senate Office Building.

*Committee on Government Operations*, Subcommittee on Foreign Aid Expenditures, on evaluation of the surplus property donation program, 10 a.m., 3302 New Senate Office Building.

*Committee on Labor and Public Welfare*, Education Subcom-

mittee, on S. 600, higher education bill, 9 a.m., 4232 New Senate Office Building.

*Committee on Public Works*, ad hoc subcommittee of Subcommittee on Flood Control—Rivers and Harbors, on projects in the Mississippi Plains region, 9:30 a.m., 4200 New Senate Office Building.

*Committee on Rules and Administration*, executive, to consider recommendations as a result of its study on financial and business activities of Senate employees and former Senate employees, 10 a.m., 301 Old Senate Office Building.

### House

*Committee on Armed Services*, on military pay increases, 10 a.m., 2118 Rayburn House Office Building.

*Committee on Education and Labor*, General Subcommittee on Labor, on proposed amendments to the Fair Labor Standards Act, 9:45 a.m., 2261 Rayburn House Office Building.

*Committee on Interior and Insular Affairs*, Subcommittee on National Parks and Recreation, on H.R. 4252, re Herbert Hoover National Monument, Iowa; and H.R. 8111, re Herbert Hoover Birthplace National Historic Site, Iowa, 9:45 a.m., 1324 Longworth House Office Building.

*Committee on Interstate and Foreign Commerce*, Subcommittee on Public Health and Welfare, to amend the Clean Air Act of 1964, 10 a.m., 2123 Rayburn House Office Building.

*Committee on Post Office and Civil Service*, Subcommittee on Postal Rates, on H.R. 5938, re postage rates—4th-class mail, 10 a.m., 215 Cannon House Office Building.

*Committee on Un-American Activities*, subcommittee to continue inquiries regarding pro-Castro Communist propaganda activities in the U.S. and illegal travel of U.S. citizens in connection with these activities, 10 a.m., caucus room, Cannon House Office Building.



# Congressional Record

appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed at one time. ¶ The Congressional Record will be furnished by mail to subscribers, free of postage, for \$1.50 per month, payable in advance. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington, D.C., 20402. For subscription purposes, 20 daily issues constitute a month. The charge for individual copies varies in proportion to the size of the issue. ¶ Following each session of Congress, the daily Congressional Record is revised, printed, permanently bound and is sold by the Superintendent of Documents in individual parts or by sets. ¶ With the exception of copyrighted articles, there are no restrictions on the republication of material from the Congressional Record.

The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued

June 15, 1965

For actions of

June 14, 1965

89th-1st; No. 107

### CONTENTS

Air pollution.....26	Future farmers.....21	Soybeans.....20
Appropriations.....6,8	Housing.....9,19	Tariffs.....15
Budget.....22	International Wheat Agreement.....7	Time.....25
Corn.....11	Land and water conservation.....8	Tobacco.....7
Cotton.....11	Legislative program...7,18	Travel.....24
Disaster relief.....10	Milk.....29	Urban development.....9
Electrification.....5,23	Personnel.....24	Water pollution.....12
Excise taxes.....4,7	Research.....3	Water research.....3
Extension work.....16	River road.....28	Water resources.....17
Feed grains.....11	Soil conservation programs.....6	Wheat.....2,7,11
Flag.....27		Wilderness.....13
Foreign aid.....1		Wildlife.....14
Forest Service.....8		

HIGHLIGHTS: Senate passed foreign aid authorization bill. Senate debated International Wheat Agreement. Senate committee reported bill to expand salt-water research. House received conference report on Interior appropriation bill. House Rules Committee cleared housing bill. House Rules Committee cleared revised disaster relief bill. House committee voted to report bill to provide diversion payments on acreage affected by disaster.

### SENATE

1. FOREIGN AID. Passed, 68-20, with amendments H. R. 7750, the foreign aid authorization bill. Senate conferees were appointed. pp. 12989, 13008-40, 13043-67
2. WHEAT. Began debate on ratification of protocol extending the International Wheat Agreement for 1 year. pp. 13069-70
3. WATER RESEARCH. The Interior and Insular Affairs Committee reported without amendment S. 24, to expand, extend, and accelerate the saline water conversion program conducted by the Interior Department (S. Rept. 319). p. 12957
4. EXCISE TAXES. The Finance Committee reported with amendments H. R. 8371, to reduce or repeal certain excise taxes (S. Rept. 324). p. 12957
5. ELECTRIFICATION. Received from REA a report on approval of a loan to the Lower

Colorado River Authority, Tex. p. 12957

6. SOIL CONSERVATION; APPROPRIATIONS. Received a N. C. legislature resolution opposing proposed reductions in soil-conservation appropriations. pp. 12974-5
7. LEGISLATIVE PROGRAM. Sen. Mansfield stated that it is planned to complete action on the International Wheat Agreement today, followed by the excise tax bill, the debt limit bill, and the cigarette labeling bill. p. 13040

#### HOUSE

8. INTERIOR AND RELATED AGENCIES APPROPRIATION ACT, 1966. Conferees filed a report on this bill, H. R. 6767, (H. Rept. 513). (pp. 1291-14). At the end of this Digest is a table showing the action of the conferees on Forest Service items. The conferees also provided an allocation of \$17,300,000 to the Forest Service from the Land and Water Conservation Fund instead of \$12,000,000 as proposed by the House and \$19,785,150 as proposed by the Senate.
9. HOUSING; URBAN DEVELOPMENT. The Rules Committee reported a resolution for the consideration of H. R. 6927, to establish a Department of Housing and Urban Development. p. 12914  
Rep. Patman commended and inserted an article, "Small Communities--Getting Many Federal Aids as Part of Urban Development." pp. 12928-30
10. DISASTER RELIEF. The Rules Committee reported a resolution for the consideration of S. 2089, the revised disaster relief bill. pp. 12914-5
11. FEED GRAINS. The Agriculture Committee voted to report (but did not actually report) H. R. 8620, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965.  
Rep. Michel spoke in opposition to H. R. 8629, to amend the provisions of the wheat program authorized in the Agricultural Act of 1964, which he stated "would injure Illinois industry and Illinois farmers by subsidizing wheat for industrial uses at the expense of corn." pp. 12948-9
12. WATER POLLUTION. Rep. Kunkel urged action on the proposed Water Quality Act of 1965. p. 12926
13. WILDERNESS. Rep. Olsen, Mont., inserted a newspaper article discussing the controversy over the classification of the Selway-Bitterroot area as a wilderness area. pp. 12961-2
14. WILDLIFE. Received from Interior a proposed bill to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction, and to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; to Merchant Marine and Fisheries Committee. p. 12954
15. TARIFFS. Received an Ariz. Legislature memorial "opposing the passage of H. R. 8147 relating to reducing the existing tariff schedules." p. 12955
16. EXTENSION WORK. Received an Hawaii Legislature memorial "requesting that the Morrill Act be amended so as to enable States to invest their grants in corporate equities." p. 12955



## CONSIDERATION OF S. 2089

---

JUNE 14, 1965.—Referred to the House Calendar and ordered to be printed

---

Mr. SISK, from the Committee on Rules, submitted the following

### R E P O R T

[To accompany H. Res. 420]

The Committee on Rules, having had under consideration House Resolution 420, report the same to the House with the recommendation that the resolution do pass.

○



89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

## House Calendar No. 98

# H. RES. 420

[Report No. 512]

---

### IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 1965

Mr. SISK, from the Committee on Rules, reported the following resolution;  
which was referred to the House Calendar and ordered to be printed

---

## RESOLUTION

1       *Resolved*, That upon the adoption of this resolution it  
2 shall be in order to move that the House resolve itself into  
3 the Committee of the Whole House on the State of the Union  
4 for the consideration of the bill (S. 2089) to provide as-  
5 sistance to the States of California, Oregon, Washington,  
6 Nevada, and Idaho for the reconstruction of areas damaged  
7 by recent floods and high waters, and all points of order  
8 against said bill are hereby waived. After general debate,  
9 which shall be confined to the bill and continue not to ex-  
10 ceed one hour, to be equally divided and controlled by the  
11 chairman and ranking minority member of the Committee on  
12 Public Works, the bill shall be read for amendment under



1 the five-minute rule. At the conclusion of the consideration  
2 of the bill for amendment, the Committee shall rise and report  
3 the bill to the House with such amendments as may have  
4 been adopted and the previous question shall be considered  
5 as ordered on the bill and amendments thereto to final pas-  
6 sage without intervening motion except one motion to re-  
7 commit.

House Calendar No. 98

89<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. RES. 420**

[Report No. 512]

---

## RESOLUTION

---

Providing for consideration of S. 2089, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

---

By Mr. SISK

---

JUNE 14, 1965

Referred to the House Calendar and ordered to be printed







# Digest of CONGRESSIONAL PROCEEDINGS

## OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C.

20250

Official Business

Postage and Fees Paid

U. S. Department of Agriculture

OFFICE OF  
BUDGET AND FINANCE

(For information only;  
should not be quoted  
or cited)

Issued June 16, 1965

For actions of June 15, 1965

89th-1st; No. 108

### CONTENTS

Appropriations.....1,5	Forest Service.....1	Public works.....30
Cigarette labeling...11,13	Highways.....21	Reclamation.....8
Disaster relief.....6,12	Housing.....16,20	Recreation.....21
Education.....22	Labor Standards.....26	Research.....27
Electrification.....5,14	Legislative program..11,20	Time.....29
Excise taxes.....3	Life insurance.....31	Tobacco.....11,13
Extension work.....10	Loans.....6	Transportation.....18
Farm labor.....17,23,25	Patents.....9	Water supplies.....6
Farm program.....7	Personnel.....14,31	Wheat.....2,24
Feed grains.....15	Population.....28	Wildlife.....32
Forestry.....19	Public debt.....4	

**HIGHLIGHTS:** Both Houses agreed to conference report on Interior appropriation bill, including Forest Service. Senate ratified International Wheat Agreement. Sen. Warburton criticized Budget Bureau for reserves on REA appropriations. Sen. Javits recommended drought relief and water systems loans. House Rules Committee cleared cigarette labeling bill. House passed revised disaster relief bill. House debated housing bill. Rep. Nelsen criticized CSC's taking "no corrective action" on REA "political fund raising." House committee reported bill to provide diversion payments on acreage affected by disaster. Rep. Cooley defended wheat provisions of farm bill and inserted letters.

### SENATE

1. **APPROPRIATIONS.** Both Houses agreed to the conference report on H. R. 6767, the Interior and related agencies appropriation bill, including Forest Service items. The House concurred in remaining items in disagreement. This bill will now be sent to the President. See Digest 107 for USDA items. pp. 13143-7, 13197-200
2. **WHEAT.** Ratified, 88-0, the protocol to continue the International Wheat Agreement. pp. 13097-8
3. **EXCISE TAXES.** Passed, 84-3, with amendments H. R. 8371, to reduce or repeal certain excise taxes. Rejected, 41-44, a Bass amendment to exempt vehicles used primarily for farm or ranch. pp. 13127-43, 13147-72, 13174-5, 13177-92
4. **PUBLIC DEBT.** The Finance Committee reported without amendment H. R. 8464, to

provide a further temporary increase in the public debt limit (S. Rept. 330). p. 13085

5. ELECTRIFICATION. Sen. Yarborough criticized the Budget Bureau for setting up and maintaining a reserve on REA appropriations. p. 13101  
Received from REA a report on approval of a loan to the Brazos Electric Power Cooperative. p. 13084
6. WATER SUPPLIES. Sen. Javits spoke in favor of additional drought relief and recommended passage of legislation to provide for direct and insured loans for development of local water systems. pp. 13117-19
7. FARM PROGRAM. The Agriculture and Forestry Committee was authorized to meet during Senate sessions up through June 29. p. 13083
8. RECLAMATION. The Interior and Insular Affairs Committee reported with amendments S. 32, to authorize the Southern Nevada water project (S. Rept. 332). p. 13194
9. PATENTS. Received from the Commerce Department a proposed bill to permit the publication of patent applications; to Judiciary Committee. p. 13085  
Passed as reported H. R. 4185, to increase the fees payable to the Patent Office and to expedite prosecution of patent applications. pp. 13095-6
10. EXTENSION WORK. Received a Hawaii legislature resolution requesting that the Morrill Act be amended so as to enable States to invest their grants in corporate equities. p. 13085
11. LEGISLATIVE PROGRAM. The debt-limit bill was made the unfinished business (p. 13194). The Majority Leader announced that the cigarette labeling bill and the saline water bill will follow. p. 13192

#### HOUSE

12. DISASTER RELIEF. Passed without amendment S. 2089, to provide assistance to Calif., Ore., Wash., Nev., and Idaho, for the reconstruction of areas damaged by recent floods and high waters (pp. 1306-12). This bill will now be sent to the President. This bill is the same as S. 327, which was passed and vetoed by the President due to his disapproval of a provision providing for "coming into agreement" with a congressional committee before taking executive action. This provision was omitted in S. 2089.
13. CIGARETTE LABELING. The Rules Committee reported a resolution for the consideration of H. R. 3014, to regulate the labeling and advertising of cigarettes. p. 13201
14. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 242, to extend the apportionment requirement in the Civil Service Act of January 16, 1883, to temporary summer employment (H. Rept. 516). p. 13281  
Rep. Nelsen criticized the Civil Service Commission for having taken "no corrective action" in the case of "political fundraising functions" in REA. p. 13244
15. FEED GRAINS. The Agriculture Committee reported without amendment H. R. 8620, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965 (H. Rept. 517). p. 13281



There being no objection, the Clerk read the bill, as follows:

H.R. 7090

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each individual named in section 2 of this Act is relieved of liability to pay to the United States the amount set forth opposite his name, which amount represents an overpayment of per diem received by him while stationed at Fleet Air Western Pacific repair activity, Tokyo and Osaka, Japan. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this Act.

SEC. 2. The individuals referred to in the first section of this Act and the amount of the liability of each of them are as follows:

Wilson, Ruddy (2686566), United States Navy Fleet Reserve, \$1,708.60.

Gilbert, William L. (2747774), United States Navy Fleet Reserve, \$7,154.70.

Hoover, Russel D. (3132792), United States Navy Fleet Reserve, \$6,783.20.

Floyd, Fretwell J. (8456082), United States Navy Fleet Reserve, \$8,273.20.

The estate of Dahlen, Wallace A., deceased, formerly a lieutenant commander, United States Navy, \$7,508.36.

Benson, Leonard R. (3933163), United States Navy Fleet Reserve, \$11,218.75.

Raines, James C. (2952599), United States Navy Fleet Reserve, \$6,953.80.

Ringstead, Richard G. (3286779), United States Navy Fleet Reserve, \$3,821.85.

McKee, Benjamin A. (3466670), United States Navy Fleet Reserve, \$6,471.45.

Coleman, Johnny R. (3603289), United States Navy Fleet Reserve, \$4,280.85.

Hudson, William J., Jr. (2744556), United States Navy Fleet Reserve, \$1,226.70.

Lindley, William R. (814054), United States Marine Corps Fleet Reserve, \$10,232.80.

Gorski, William S. (507173), United States Marine Corps Fleet Reserve, \$2,843.95.

Zidnak, Leonard G., 1772 Carlyle Street, Memphis, Tennessee, \$5,261.55.

SEC. 3. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each individual listed in section 2 of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section of this Act. No part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 3, line 15, strike "one claim in excess of 10 per centum thereof" and insert "claim."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MAJ. LEONARD H. POTTERBAUM,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7137) for the relief of Maj. Leonard H. Potterbaum, U.S. Air Force.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

MAJ. DONALD B. POWERS,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7138) for the relief of Maj. Donald B. Powers, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. FRANK D. SCHWIKERT,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7233) for the relief of Col. Frank D. Schwikert, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. CLAUDE E. TABOR, JR.,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7355) for the relief of Lt. Col. Claude E. Tabor, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

COL. THOMAS O. LAWTON, JR.,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7435) for the relief of Col. Thomas O. Lawton, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MR. AND MRS. CHRISTIAN VOSS

The Clerk called the bill (H.R. 7682) for the relief of Mr. and Mrs. Christian Voss.

There being no objection, the Clerk read the bill, as follows:

H.R. 7682

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the national service life insurance (certificate numbered N. 881269) upon the life of the late Vernon A. C. Voss (Veterans' Administration claim numbered XC3099771), who died on October 29, 1942, shall be held and considered to have been in effect in the amount of \$5,000 at the time of his death. The Ad-

ministrators of Veterans' Affairs shall pay such insurance (including a lump-sum payment equal to the difference between the total of the installments which would have been paid had such insurance in the amount of \$5,000 been in force at the time of death, and the total of the installments actually paid, between the date of death and the date of enactment of this Act) in accordance with the National Service Life Insurance Act of 1940, as amended, except that any payments made as a result of the enactment of this Act shall be made directly from the national service life insurance appropriation.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MARVIN D. NELLS

The Clerk called the bill (H.R. 7822) for the relief of Marvin D. Nells.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

CPO JAMES J. GRIFFIN, U.S. NAVY

The Clerk called the bill (H.R. 5830) for the relief of CPO James J. Griffin, U.S. Navy.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

1ST LT. DAVID A. STAVEN, U.S. AIR FORCE

The Clerk called the bill (H.R. 7439) for the relief of 1st Lt. David A. Staver, U.S. Air Force.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MAJ. VICTOR R. ROBINSON, JR.,  
U.S. AIR FORCE

The Clerk called the bill (H.R. 7436) for the relief of Maj. Victor R. Robinson, Jr., U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

LT. COL. NICHOLAS A. STATHIS, U.S. AIR FORCE

The Clerk called the bill (H.R. 7437) for the relief of Lt. Col. Nicholas A. Stathis, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 7437

*Be it enacted by the Senate and House of Representatives of the United States of*



America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel Nicholas A. Stathis, AO928980, United States Air Force, Norton Air Force Base, California, the sum of \$7,164.70 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed aboard the United States ship Alcoa Planter, a carrier under Government contract, which caught fire in the harbor at Bremerhaven, Germany, on February 1, 1963: *Provided*, That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

**CHIEF M. SGT. SAMUEL W. SMITH,  
U.S. AIR FORCE**

The Clerk called the bill (H.R. 7438) for the relief of Chief M. Sgt. Samuel W. Smith, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

**COL. WILLIAM W. THOMAS AND LT.  
COL. NORMAN R. SNYDER, U.S. AIR  
FORCE**

The Clerk called the bill (H.R. 7440) for the relief of Col. William W. Thomas and Lt. Col. Norman R. Snyder, U.S. Air Force.

Mr. McEWEN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that further reading of the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

**ASSISTANCE FOR AREAS DAMAGED  
BY RECENT FLOODS**

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 420 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 420

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee

of the Whole House on the State of the Union for the consideration of the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and pending that I yield myself such time as I may consume.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, House Resolution 420 provides an open rule, waiving points of orders, with 1 hour of general debate for consideration of S. 2089, a bill to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

S. 327 was passed by the Senate on April 23, 1965, and by the House on May 19, 1965, after being amended to contain the language of H.R. 7303 which had previously been enacted by the House. Thereafter the Senate agreed to the House amendment and the bill was vetoed by the President on June 5 because of what he termed "unwise and objectionable" language in section 5(a) of the bill.

The bill now before you, S. 2089, is identical to the bill formerly before you with the exception of that part of the bill which the President was against. That part of the bill has been deleted.

Because of the continuing emergency and the need to prevent further delay in bringing relief to the hard-pressed people and communities of the Pacific Northwest, Mr. Speaker, I urge the House Resolution 420 be adopted in order that S. 2089 may be acted upon forthwith.

Mr. Speaker, I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I think the gentleman from California [Mr. Sisk] has correctly stated the purpose of this resolution; to make in order the consideration of virtually the same piece of legislation that passed this House on, I believe, the 19th of May of this year, only to be vetoed by the President on the ground that the language contained in section 5(a) represented an intrusion on the powers of the Executive; this language provided that no appropriation should be made for any of the work to be done in connection

with the stabilizing of the banks of the Eel River, unless the work was first approved by a resolution adopted by the Committees on Public Works of the House and the other body, respectively.

As the gentleman from California has said, the executive branch has labeled this provision and this language objectionable. Because of the emergency nature of this situation and the severe damage that was caused in the Pacific Northwest due to these floods, it was concluded by the Committee on Public Works of the House that to expedite passage of this legislation it would report out a bill deleting the language which has been called objectionable.

It is important to point out that in the report accompanying this bill the committee said that in utilizing this procedure of bringing out a new bill without language objected to by the President, the committee did not want this to imply any agreement with the position that the executive branch has taken with respect to the language in section 5(a). It is my understanding that the members of the Committee on Public Works will further discuss that very important and fundamental issue.

Mr. SISK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

The motion was agreed to.

**IN THE COMMITTEE OF THE WHOLE**

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 2089, with Mr. YOUNG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the distinguished member of the Committee on Public Works, the chairman of our committee [Mr. FALLON].

Mr. FALLON. Mr. Chairman, I rise today in support of this legislation which is pending before us.

Just a few short weeks ago, on May 19, this House unanimously passed almost identical legislation. That bill was S. 327. It provided the needed and necessary relief to take care of the flood-stricken areas of the Pacific Northwest, including the States of California, Washington, Oregon, Idaho, and Nevada.

Last January when the reports of the devastation of these floods had reached Washington, I authorized a special subcommittee of the Committee on Public Works, headed by the gentleman from Alabama [Mr. JONES], to visit the flood-stricken areas and to report back to the committee as rapidly as possible what action should be taken to provide relief



to these areas. After 4 months of extensive work, the committee reported out a bill which, I believe, was good legislation. The bill before us today, S. 2089, is the same previously passed legislation, H.R. 7303, minus four lines which were found to be objectionable to the executive branch of the Government.

Might I say at this point that I do not believe the language that was stricken from this bill is objectionable language.

I do not feel that now, at this time, when the need for this legislation is so paramount, an extraneous issue should be raised. I think the overriding point here is that the work the Committee on Public Works in both bodies did on this legislation and the need for this legislation justifies the fact that we should expedite its passage as soon as possible.

For the foregoing reasons, I trust that this body today will reapprove its action of May 19 by passing the present bill before us.

May I conclude by saying that I am a firm believer in the separation of powers in the three branches of our great Government—the legislative, the executive, and the judicial. I am proud to be a Member of this body, and I will at all times stand forth to uphold the rights of this Congress.

I urge you strongly to pass this legislation before us without, at the same time, conceding for one moment any of the rights given to this body under our Constitution.

Mr. JONES of Alabama. Mr. Chairman, this legislation which is before us today is needed and necessary legislation. It brings relief to flood-devastated areas of our great Nation.

It was my privilege to chair a special subcommittee of the Committee on Public Works and visit the Pacific Northwest to see at firsthand the horror and the havoc that can be wrought by uncontrolled waters. I saw whole villages destroyed, roads and rail lines uprooted, and a basic industry—one of the most important in our Nation—crippled.

I returned from the Pacific Northwest and, through the cooperation of the other members of the Committee on Public Works, we moved as expeditiously as we could to bring relief to that area. The legislation passed this Congress once and, due to a difference in interpretation of the language, was vetoed.

The basic legislation is before us today. Regardless of what each and every one of us may think about the so-called objectionable language, the overriding point here is the need for this legislation. I recommend its passage.

The CHAIRMAN. The gentleman from Maryland [Mr. FALLON] has consumed 4 minutes.

The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are engaged in a very interesting exercise today, one which I have a great distaste for and one which, when acted upon, will in my opinion do great violence to the separation of powers between the executive and legislative branch of the Government and to the Constitution of the United States.

The Congress made a decision in its wisdom by unanimous vote in voting on this bill when it was before us in its original form. One of the most controversial sections was section 5(a) setting up a new type of program providing for revetments and support for a railroad along the Eel River which was admittedly needed for the economy of the area. It was a new program providing for a study by the executive, by the Office of Emergency Planning, to determine what kind of project was needed and how much money it would cost.

In doing that, which was a new program, and which unless Congress retained some authority relative thereto would amount in itself to an authorization of a project of an unknown nature, in the wisdom of the committee and the Congress, and rightly so, there was a provision, and I for one insisted upon it and it was written into the bill without question by the committee, that this being a new type of authorization or a new type of emergency program, without being based upon an existing authorized project, that along the Eel River, if this revetment and support for this railroad was to be provided for the railroad bed, that the Congress and the committees of the Congress, should have the right to look at the proposed project to determine whether the cost was reasonable and whether the project itself was of a nature of projects that we in the future might want to act upon. There is not any question about the constitutional authority of the Congress to do so, and in doing so we wrote into that section 5(a) the following wording after the President made the study and the Office of Emergency Planning decided along with the engineers the nature of the project that when it came to the appropriation, before such appropriation could be made:

No appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committee on Public Works of the Senate and House of Representatives, respectively.

There is no constitutional question about the congressional authority to do so. I say that there is a serious constitutional question of right as to whether Congress should give up its admitted constitutional authority to the executive branch.

This veto amounts to an item veto by the President of the United States. If the Congress wants to approve an item veto concept, let it do so, but it shall not do so without me raising my voice in opposition to it.

This is not an unusual provision. This provision was written into law by the Congress in the last session. It was written into law not only under President Johnson but also under President Eisenhower. It was signed by both Presidents. Exactly the same language was signed in the Public Buildings Act of 1959, which the distinguished and capable gentleman from Alabama [Mr. JONES] drafted. I compliment him for it. It has done a great job in this field. I was privileged to have a small part in it.

That provided precisely the same language. The objective was to try to im-

plement, on a long-range-plan basis, public buildings all over America without requiring that the full Congress act on every single project to be authorized. Thus the committees were given authority by the Congress to act through committee action. It is a good law and it has worked well. It has accomplished its objective.

This would have worked equally well. It required that a report be made back—and I read again—no later than June 30, and the committees of the House and Senate would have to act.

There is no question of delay involved in this. There is a question of what is right or wrong as it relates to the constitutional authority of the Congress of the United States, and whether the President should be given the right by this gimmick or by this method to institute an item veto and to usurp the prerogatives of the Congress of the United States.

Last week, on Thursday, those were the sounds and those were the thoughts which rang out in this Chamber. Those were the thoughts which prevailed in this Chamber. Those were the thoughts which prevailed on the question of a far more questionable nature than the one we have before us at the present time.

We heard cries from the gentleman from South Carolina, and properly so, as I reflected on Thursday afternoon, that this was a great day for Congress, that the Constitution was being observed, that congressional power was being retained. We marched up the Hill proudly.

We are marching down the Hill today, and not very proudly, so far as I am concerned, because there is no question about the right of the Congress to authorize specific public works projects and in so doing to reserve the right, after those projects have been studied by the executive, to actually authorize them through committee action.

The Public Buildings Act, signed by President Eisenhower, had the same language.

The Watershed Protection and Flood Prevention Act had similar language. That was signed by President Eisenhower.

The Water Resources Research Act of 1964, signed by President Johnson, had similar language. Oh, he said that he did not like the language, but the Act, in his opinion, apparently was of sufficient national importance that he did not dare to veto it because of this one phrase reserving the rights of the committee to approve the action of the Executive as set forth in the Water Resources Research Act of 1964.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. And that was not an emergency measure, the gentleman might emphasize.

Mr. CRAMER. No, it was not an emergency measure at all.

Here the President takes the position, on a bill involving \$111,875,000 for the disaster stricken Northwest, where immediate assistance is needed—which is why we acted on it on an emergency



basis—that he is willing for those people to be denied the relief that they must have and must have now, in order to exert his Presidential prerogatives, which I say are wrongly exerted in this instance, in order to dictate to the Congress of the United States that he, the President of the United States, does not believe even an authorization, for which we have power to make a study, should come back to the Congress for official authorization on a public works project. This is a position, I submit, wholly untenable, and which, in my opinion, fractures the constitutional concept of separation of powers between the executive and legislative branches of the Government.

Not only that, but the President dictated to the Congress stating:

You do this. You take that bill back and within a few days bring me back that bill, and I will sign it, if this one clause to which I object in this \$111.8 million bill is deleted relating to committee approval.

He told them to delete that one little section, that one little phrase in that one little section. That whole section only amounts to \$3,875,000 out of the total figure of \$111.8 million for relief. Now if that does not amount to an item veto I have never seen one.

After hearing all this debate last week with regard to congressional prerogatives, then we have this come up. We had a very burdensome issue last week as it relates to that congressional prerogative, and we know that there will be a similar issue relating to the closing of hospitals with reference to Veterans' Administration hospitals in the future. That does not relate to the initial authorization of a project but instead to whether the President can deauthorize a project. That is an entirely different question from this because this relates to the authorization of a project. After hearing all of those speeches last week and watching the vote in favor of holding the congressional prerogative, which passed by a very large majority telling the President that the Congress will preserve its prerogatives, we then marched up the Hill gallantly, honorably, and bravely, and today we come back and march down the Hill. We are doing that by taking this action here, saying, "Mr. President, you want an item veto. Well, you have the votes so we will give it to you. If you do not want Congress to exercise its proper prerogatives, you have the votes so we will buckle under to your command." That is precisely what the committee did. Let me be honest about the committee's attitude as such, but let me be equally honest as to the committee's attitude in retaining the language. The committee says in the report that it agrees with the Senate report on the same bill. The Senate in a couple of days took the President's version and struck out the clause and reported it to the House. In a few days we were following the President's demand, and we reported it out. Here is what the committee said in the report. The committee "would particularly emphasize the fact that it agrees strongly with that language in the Senate committee report which states: 'such consent'"—meaning

by striking out the provisions—"however, does not necessarily imply committee agreement with the President's view that the objectionable language constitutes an improper encroachment by the Congress and its committees."

It says, "It does not necessarily imply." I happen to be personally convinced, and there is hardly a member on our committee who does not feel, that the President is wrong in this instance. Our distinguished chairman of the committee just said so. Where is the intestinal fortitude to stand up to the President? This is his first veto of a major measure, knowing that there is an emergency involved. Where is the intestinal fortitude necessary for the Congress to stand up and say to the President, "We will not permit a President to dictate to the Congress or to item veto this bill"? This should be so, particularly in view of the fact that he did not veto a similar bill because he said it was of such great national interest. I say there can be no bill of a greater interest to the people of the northwest part of the United States than this flood disaster relief bill. I, for one, have worked very hard in order to try to get this bill out and to make it an adequate bill which would not be controversial in nature. Then, lo and behold, the President vetoes it and brings controversy all over the Nation and here to the floor of this House unnecessarily because he wants an item veto in it. I say that is wrong.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman.

Mr. GROSS. Can this be the same President Johnson, who, in his first message to Congress after becoming President of the United States in November 1963 said, in effect: "I have served in the Congress and I will never be a party to interfering with Congress. I will never be a party to destroying the independence of the Congress?"

Is this the same President?

Mr. CRAMER. My recollection is that it is, I will say to the distinguished gentleman. But I do not recognize that it is the same one. I understand it, but I do not recognize this language as the language that the gentleman is discussing.

Mr. GROSS. I do not recognize it, either as coming from the same Lyndon Johnson. And so today, like the old cow, we are faced with swallowing our cud, then regurgitate and chew on it at some later time. We are told to tuck our collective tails between our legs and run on this issue. I am against running.

Mr. CRAMER. I will say to the gentleman that he is certainly speaking my sentiments.

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman from California.

Mr. SISK. Mr. Chairman, I want to say to my distinguished colleague from Florida that I happen to be one of those who agrees basically with the position that the gentleman is taking with reference to the President's position here. I disagree very vigorously with the Presi-

dential advisers and with the action that he took. But I do want to say this, in fairness to the committee of which he and many other distinguished Members of this House are members, I want to express my deep appreciation of the expeditious action here. I think my colleague from Florida would have to agree with me that we are faced with some practical political facts of life here, and in view of the emergency nature, and in view of the situation that exists with reference to the people out there, I commend the Public Works Committee on the action that they have taken.

I think that this is a basic issue on which we are going to have to choose our grounds on which to fight, and which I am sure the Congress will do, because, as the gentleman has indicated, there are many other pieces of legislation in which language such as was found to be objectionable here has been used and is today being applied. I think President Eisenhower, President Kennedy, and now President Johnson may have signed bills in each case with some reservation and, as I recall, back in 1957 or 1958 on Public Law 130 there were some reservations expressed.

Congress asserted its jurisdiction and we have maintained it. I agree with the gentleman, and I fight with him together on this basic principle. But I think we have to justify our grounds and I do not think this is an opportune time to do it. I would hope that the bill pass and the emergency be met in this instance.

Mr. Chairman, I appreciate the gentleman's yielding.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. CRAMER. Mr. Chairman, I will say to the gentleman that everybody wants to provide relief and provide it now. But as one person in the United States that has prevented relief from going into the Northwest area a number of days ago—and that was not the Congress of the United States, that was the President of the United States—I would say to the gentleman that if we are going to have to try to fight our battle someplace else, the more battles we lose, the better the prospect that we are going to lose the war.

The war is to try to preserve the prerogatives of the Congress of the United States. Lose this little battle here and that little battle there and then do not worry about losing the war; do not worry about giving the President powers that belong to Congress, buckling under when he vetoes a bill, when he is trying to exercise powers that obviously belong to the Congress; lose a few battles, and you do not have to worry about losing the war. I say this is the battleground. Our committee should have so acted, should have so seen it so that we would not have to worry about losing the war later on.

And if, in fact, there are certain political realities to be recognized, I will ask the gentleman the question: Why did not the President recognize that there were certain political realities involved, certain needs involved of an emergency nature and yield on this, as he did on the other bill which he signed, the water re-



sources research bill, knowing the emergency nature of this matter?

Mr. SISK. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield to the gentleman from California.

Mr. SISK. In answer to the gentleman's question, let me say that it has been my understanding that Presidents, as I indicated, going back to 1955 have had reservations about this language. I think there is probably room for disagreement.

Mr. Chairman, as I said to the gentleman earlier I happen to agree with the gentleman as to the position taken by the gentleman from Florida on the basic constitutional issue. I simply do not feel, however, that now is the time nor is this the place to fight this particular battle. I believe ultimately, yes, in the Congress we will have to fight it. But I believe here is a case where the Executive was being political from the standpoint of bringing to the attention of Congress the reservations which this administration and others I feel have had on the issue.

Mr. Chairman, I am not trying to justify him. As I said before, I vigorously disagree with the position, but I do think we are faced with the political facts of life and we know that sometimes we take advantage of the day and time to present our views. I believe this is what we have experienced in this case.

Mr. CRAMER. Well, I will say to the gentleman from California that no one is more concerned about the emergency nature of this problem than I. I just wish the President had been equally as concerned.

Mr. Chairman, I will say this to the Members of the House as well, that I know the problems existing in the Northwest and the need for immediate relief.

Mr. Chairman, it is my personal opinion that the President would not veto the bill a second time if this provision were written back into it. Of course, there is no guarantee of that, but that is my personal opinion.

Mr. Chairman, I say it is unfortunate that our committee did not have the intestinal fortitude itself to stand up on its two feet and preserve the prerogatives, constitutionally, of the Congress. But it is quite obvious that the majority side has enough votes to do anything it wants to do at this session and it is going to do this at this session whether we like it or not. It has got the votes to defeat an amendment if it were offered. It defeated my amendment in the committee and it would undoubtedly defeat such an amendment on the floor.

So, Mr. Chairman, in the interest of the emergency nature and knowing it would be futile to offer such an amendment, when the President has such dictatorial powers over the Congress, I am not even going to offer it. The result is quite obvious as to what would be done, but I say this issue must be discussed and we must not lose any more battles for fear of losing the war.

(Mr. CRAMER asked and was given permission to revise and extend his remarks.)

The CHAIRMAN. The gentleman from Florida has consumed 21 minutes.

Mr. CRAMER. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. BALDWIN].

(Mr. BALDWIN asked and was given permission to revise and extend his remarks.)

Mr. BALDWIN. Mr. Chairman, I intend to vote for S. 2089. I agree with the principle expressed by the gentleman from Florida [Mr. CRAMER], that there has not been a violation of the Constitution by this Congress in passing the original bill. However, we do have a situation in the Pacific Northwest which requires attention and requires attention immediately.

Mr. Chairman, there are many logging communities in northern California, Oregon, and Washington that depend for their livelihood upon the jobs in one timber plant in that community. That timber plant is dependent for its functioning upon the roads out of the National forests by which the logs are brought down to that plant.

Mr. Chairman, most of those roads were destroyed during this flood period. This bill contains the authorization for the funds required to reconstruct and restore those roads so that the lumber can again be brought down to those plants.

Until this reconstruction occurs those communities are being absolutely strangled economically. No matter how justified we may feel our position may be from a constitutional standpoint, I do not think it is fair to those communities to let them die while we continue this wrangle over who is right and who is wrong.

For the reasons I have stated, I therefore intend to vote for this bill, although I voted for the original bill with the original language. I feel, as the gentleman from Florida does, that the original language was fully justified. However, in fairness to the people of those small communities who are literally being starved economically because of this delay, I intend to vote for this bill to provide for relief and help to them just as soon as we possibly can do so.

Mr. CRAMER. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. DON H. CLAUSEN].

(Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the legislation before us. There has been a considerable amount of wrangling over words. I am not in disagreement with the gentleman from Florida [Mr. CRAMER] and the chairman of our committee, Mr. FALLON. However, the fact before us is that we have a very serious and dire emergency in the Pacific Northwest. Most of this damage has occurred in my own congressional district. So the only thing we can ask of this committee is that it forget about the confrontation at this time, if it will. There is not anything I would enjoy more than to join with the gentleman from Florida in taking on the President and the executive

branch on this issue, but right now we need to get on with our work. As the gentleman from California [Mr. BALDWIN], stated, many of these people who were affected, are dying on the vine and unless we take this important step and pass the bill so the job of rebuilding can go forward.

Today the Congress of the United States will make its second attempt to write into law a flood relief act of 1965 for the west coast.

The first attempt passed by both Houses of the Congress was vetoed last week by President Lyndon B. Johnson because he disagreed with one provision of the act.

I joined Congressman (BIZZ) JOHNSON, other Members, Senator WAYNE MORSE, and immediately reintroduced the flood relief legislation last week after the President's veto.

Senator MORSE's identical bill—S. 2089—before us today—passed the Senate in short order, passed the House Public Works Committee last Wednesday and the Rules Committee Thursday.

Passage by the House today will again put the legislation before the President for signature.

Many members of the Public Works Committee and the members of the Rules Committee—Democrats and Republicans alike—do not agree with the reasons given by the President for vetoing the original bill.

The reason given by him was that it was unwise and objectionable—an infringement on the prerogatives of the executive branch.

Our first bill provided that a study of flood repair work suggested in the Eel River canyon be reported back to the Congress after determining that which is in the public interest. The specific language covering this provision, to which the President objected is as follows:

Sec. 5(a), line 1 of page 11 (H.R. 7303) as follows:

"...but no appropriation shall be made for any such work which has not been approved before June 30, 1966, by resolution adopted by the Committees on Public Works of the Senate and the House of Representatives, respectively."

As a matter of fact, precedents for use of this language may be found in the Public Buildings Act of 1959 and in the Watershed Act, and I am disappointed that he vetoed the bill in view of these precedents.

Were it not for the emergency nature of the legislation, our strategy possibly would have been to move to override the veto. But with the press of other legislation and the number of people dependent upon the earliest possible passage of this legislation, we chose not to have the confrontation at this time.

Therefore, we have deleted the language which was objectionable to the White House in order to pass the legislation at the earliest possible date and assure the President's signature on the bill. We have had too much delay already, so I urge the immediate passage of this legislation.



Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, I rise today in support of the bill, S. 2089, the Pacific Northwest Disaster Act. You will recall that the Congress earlier passed S. 327 for the same purpose. We were unable to convince the administration and its advisers that the bill should be signed. When we learned about the veto and received the veto message, we immediately introduced new legislation both in the Senate and in the House of Representatives.

The Senate bill cleared the Senate immediately. It was sent to the House of Representatives and assigned to the Committee on Public Works. That committee worked very hard so that a bill could be brought to the floor immediately, because we feel this is the only way in which we could get this emergency relief work underway.

Today we have the bill S. 2089 before us for consideration. The language objected to by the administration has been deleted.

We are legislating here for the relief of our people in the Pacific Northwest. This covers the damaged areas in five of the Western States. It is very important emergency legislation to finalize the authorizations and make available funds that will restore this area to normalcy.

Section 5(a) was a very controversial section, as the gentleman from Florida has explained. He worked very hard with us to iron out a suitable section in the way of language so that our committee could pass the original bill unanimously and bring it to the floor of the House. That section stated it is mandatory that the people making the studies, the President, the Office of Emergency Planning, and the Corps of Engineers, report their findings and recommendations to the Congress of the United States.

That is still in the section. I think that the form of the final language that is before you today is a very good compromise to give this relief. I, too, have some feelings that we do not want to give up our legislative prerogatives nor do we want to give up any of our jurisdiction to the other two branches of the Government. But I believe we have an emergency here. The transportation system of this whole area was damaged considerably. I am very happy to say to you people that this week the railroad will go back into operation. The railroad has been restored. In section 5(a) we ask for consideration for the revetment and the riprapping of certain areas along the Eel River adjacent to the railroad.

My good colleague, the gentleman from California on tomorrow will drive the golden spike that will put this railroad together again. I am sure that Congressman DON H. CLAUSEN is going out there for that occasion.

I do hope that today this House of Representatives and the Congress will consider this bill favorably and allow it to go back to the executive branch of the Government for the simple reason that our construction period is very short in this area of the United States and it relates solely to the public agencies—the

Bureau of Public Roads has a great job to do there yet and the Forest Service has a big job. The railroad is already restored. The Corps of Engineers and the Office of Emergency Planning and the executive branch and the President himself will look into the need for riprapping in that area to give protection to the railroad that has been restored.

I might say this is a temporary measure and it runs through June 30, 1966. So I do ask for your favorable consideration today to allow us to restore this area.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRAMER. I yield 2 minutes to the gentleman from Oregon [Mr. WYATT].

Mr. WYATT. Mr. Chairman and Members of the House, the record has been made, I believe, today on the question of separation of powers. To the gentleman from Florida [Mr. CRAMER] and those of like mind, I would like to express my thanks on behalf of the people of my district for permitting this matter to be handled so expeditiously. I would also like to pay tribute to the chairman and to all the Members of the House Committee on Public Works for the action they have taken under difficult circumstances originally and again here during the past few days.

My statement has already been made, prior to the previous vote, as to the great need that we have in the State of Oregon and particularly in my district because of the damage being suffered every day so far as our economy is concerned by reason of the access roads needing repair.

Again, Mr. Chairman, I thank the gentleman from Florida and urge the Members of this body to support again this much and desperately needed legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUNCAN. Mr. Chairman, this is a difficult area in which to legislate. Not only are there questions of the relative prerogatives of the legislature—or more particularly the Public Works Committees thereof—vis-a-vis the executive, but there are also questions of the propriety of the Government assuming private losses and, if so, to what extent it should be done in time of loss, nature of loss or extent of loss.

This bill does not solve any of these problems. It leaves them as it finds them. It neither adds to nor detracts from the weight of the philosophical arguments pro and con. It does give immediate assistance to restore private losses in the timber industry of the Northwest—stricken as it was so severely by last winter's unprecedented floods. It restores losses of such magnitude in an industry so important to everyone in the country, that the private losses have become a matter of public concern. The Congress acts wisely in approving this bill and in refusing to be deferred by arguments extraneous to the main issue.

We should, however, not use the passage of this bill as an excuse for forgetting the problem of recurring disasters and of the necessity of providing machinery which speedily and auto-

matically can handle such tragic occurrences.

I suggest again that one logical answer is federally sponsored disaster insurance in this area where private coverage is largely unavailable and where the need is so great. The alternative is a case-by-case, bill-by-bill attack on the misery and pain of natural disaster which will be plagued by the same doubts we have today and which—by the delays and obstructions which, in spite of all our efforts, result from the very nature of the legislative procedure.

Mr. ROYBAL. Mr. Chairman, I would like to add my voice in support of S. 2089, the Pacific Northwest Disaster Relief Act of 1965, to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by last winter's floods and high waters.

As you will recall, these severe natural disasters struck the Pacific Northwest States during December 1964 and January and February 1965. The total damage amounted to many more millions upon millions of dollars than we will ever be able to replace.

But the proud and brave men, women, and children of these areas have made a tremendous effort to pick themselves up and rebuild their homes, their businesses, their farms, and their way of life, in the aftermath of one of the most violent and destructive series of natural disasters in the history of the West.

In addition, the local governments in these areas—the cities, the towns, the counties and the special governmental units have all strained to the limit of their financial capabilities to carry on the work of repair and rehabilitation.

And, certainly, the States themselves have done a magnificent job in organizing this staggering effort, and in substantially increasing their taxes statewide in order to mount the all-out campaign necessary to overcome the physical and financial handicaps imposed by the caprice of an unpredictable nature.

In the last few years we have seen similar disaster strike in many parts of the country, and I am proud to say, the Federal Government has been among the quickest to respond to the call for help.

There have been tornados in Indiana and other sections of the Midwest, extreme flooding along the Mississippi River basin from Minneapolis to St. Louis, severe drought in several areas of the country, hurricane damage along the east and gulf coasts, and disastrous earthquakes in Alaska.

In each of these cases, the Federal Government has been ready, willing and able to extend the hand of needed assistance to the unfortunate victims of nature's whim.

In view of this tradition of compassion for and aid to our citizens in their time of need, I am confident the House will again vote to authorize this important self-help assistance to the victims of last winter's disastrous floods in the States of the Pacific Northwest.

Mr. ROOSEVELT. Mr. Chairman, I rise to urge speedy passage of this legislation to provide assistance to the five States of California, Oregon, Washington, Nevada, and Idaho for the recon-



struction of areas damaged by recent—December, January, and February—floods and high waters. The financial problems of those affected is desperate, and it behooves us to act quickly.

This bill would authorize from the general fund of the Treasury a sum not to exceed \$50 million for fiscal year 1965 and not to exceed \$20 million for fiscal year 1966 for the repair and reconstruction of highways, roads, and trails damaged.

The floods which occurred were a result of a most improbable combination of circumstances which left an incomprehensible path of death, damage, and destruction which no amount of money can ever replace. Forests, river banks, roadways, communications, fish, wildlife, towns, and industries were dealt a tragic, destructive blow which makes these floods some of the worst experienced in the history of the United States.

Although this occurred almost 6 months ago, that area and its people desperately need the aid provided in this bill to enable them to restore this great Northwest area. I urge its passage.

Mr. ULLMAN. Mr. Chairman, I do not think it necessary to tell my colleagues how important it is to the Pacific Northwest that this disaster relief bill be enacted and sent to the President for his signature. Nearly 6 months have passed since the first shock of record high water brought devastation to the valleys of Oregon, Washington, Idaho, and northern California. Vitally needed programs of recovery have languished because authority and funds are lacking.

The bill under consideration today provides the same needed authority to Federal agencies as was contained in the bill passed by this body on May 19, and I urge that it be enacted without delay.

The people of the flooded areas owe a great debt of gratitude to members of the Public Works Committee for the sympathetic consideration that has been given to these problems and particularly for the speed with which this new bill has been brought up for consideration in the House. My thanks to the distinguished chairman, the gentleman from Maryland, for his assistance in this matter, and to our colleague and member of the committee, the gentleman from California, for his diligent and effective work as the principal sponsor in the House.

Mrs. GREEN of Oregon. Mr. Chairman, we in Oregon are gratified that legislation to speed recovery from the disastrous winter floods in the Northwest is nearing final passage—though substantially for the second time because of the President's veto.

I am grateful to the gentleman from Alabama and the full committee for its prompt action.

Passage of this measure will go a long way toward giving Oregon and her neighbors the impetus to rebuild their damaged economies, their homes, the lives of their people. For many the assistance will help provide a reason for being again, hope having been virtually demolished along with all else as the

angry rivers bled our lands of much of their value.

In retrospect, had not the floods left the indescribable wreckage and horror behind them as they roared through our land, we would be hard put to conjure images of the realities of this enormous washout. None would believe us. We would be accused of having fantasies, of daydreaming the impossible.

But it happened. Though Oregon is not new to flooding during early spring, the heavy runoff during the snow melt usually hits one or two or three watersheds at a time. But not this time.

As has been recounted many times, the entire Pacific Northwest from the Columbia River south into northern California was hit by near-record rainfalls in the period preceding and during Christmas week. Warm temperatures contributed additional waters to increase the flow of streams. Then it was as though nature had gone berserk. Every stream in the region went wild, turning into terrifying torrents that piled rushing water into the rivers and then onto the lands, crushing homes, burying roads, orchards, and fields.

In the morass of mud and wreckage that was left when the waters subsided, there were 18 persons dead and thousands of others left homeless and uncounted others without jobs or livelihood. Millions of dollars worth of roads and rail lines were destroyed. Perhaps \$60 million in farm resources was destroyed. Damaged or ruined were 120 major and minor bridges and access roads to our rich forest lands. Our recreation areas and water sheds suffered severe damage that will take years to repair.

The foundation of Oregon's economy is its natural resources. My people are dependent on these resources—the timber, the water, the land itself. And countless numbers earn their bread from the processing of timber, its transportation and manufacture and from agricultural pursuits.

The floods, by affecting these vital resources, left my State with nearly \$250 million in public and private losses, not to mention the present and future earnings and production involved. We sought this legislation—I previously introduced such a bill, not to seek preferential treatment from the Federal Government, but to help the Northwest United States back on its own economic feet.

Oregon has not sought special treatment and it is not doing so now. There have been other natural disaster areas such as the Alaska earthquake, the Ohio Valley flooding, the Pacific coast tidal wave, the Wichita Falls, Tex., and southeast Michigan tornadoes, the flooding in Montana and Idaho, and hurricanes that devastated portions of the east coast—Cleo, Dora, and Hilda. This is assistance parallel to that afforded in those terrible disasters. The legislation would also give hope to those in the Midwest who suffered this year from tornadoes and flooding.

What we have asked for is a helping

hand. Now that this bill is finally being passed, there will be increased appropriations to the Bureau of Public Roads to allow that agency to furnish part of the funds required to reconstruct the access roads to our vital forests from which over 80,000 Oregonians derive their income and upon which 60 percent of our State's economy is based.

There will be an extended home loan repayment period to enable the homeowner to rebuild his home. This is necessary because many families had their financial resources wiped out in the storms and floods.

In this connection, let me say I am gratified that the Small Business Administration had decided to extend for 90 days to September 30 the time for filing and processing applications from Oregon so that small business concerns and homeowners will be able to apply for SBA disaster loans to repair flood damage.

The loans are for a maximum of 20 years at a reasonably low 3-percent interest rate. To make the loans more meaningful, a provision in the law will allow 30 years instead of 20 for maturity of these loans.

In addition the Secretary of Agriculture would be authorized to reduce from 30 days to 7 days the minimum time required to advertise the sale of national forest timber in the affected areas.

There will be increased highway appropriations to help restore the vital arteries of communication between the Northwest and the rest of the Nation.

Once again, I commend this legislation to my colleagues. We must get these programs underway. Our mills must be brought back to full production; our people brought back to full status as members of their communities and their State and Nation; our unemployed must be brought back to their jobs. It is now time to get to work. We have waited long enough this session. We of Oregon and the Northwest ask your hand to complete this mighty undertaking.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.*

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to



the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply (1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho

damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds, appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of replacing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965".

Mr. JONES of Alabama (during the reading.) Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Chairman, I move to strike out the necessary number of words.

Mr. Chairman, a little while ago I called attention to the words of President Johnson in his first message to a joint session of the Congress, this being on November 27, 1963. I want to read verbatim from the CONGRESSIONAL RECORD of that day.

The President speaking:

As one who has long served in both Houses of the Congress, I firmly believe in the independence and the integrity of the legislative

branch. I promise you I shall always respect this. It is deep in the marrow of my bones.

How deep in the marrow of Lyndon Johnson's bones is his regard for the independence and integrity of Congress as evidenced by his veto?

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. YOUNG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 2089) to provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters, pursuant to House Resolution 420, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on S. 2089, the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### ESTABLISHING A DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND FOR OTHER PURPOSES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 419, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6927) to establish a Department of Housing and Urban Development, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the text of the bill (H.R. 8822) as an amendment in the nature of a substitute for the bill (H.R. 6927). At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.









Public Law 89-41  
89th Congress, S. 2089  
June 17, 1965

## An Act

To provide assistance to the States of California, Oregon, Washington, Nevada, and Idaho for the reconstruction of areas damaged by recent floods and high waters.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress hereby recognizes (1) that the States of California, Oregon, Washington, Nevada, and Idaho have experienced extensive property loss and damage as the result of floods and high waters during December 1964, and January and February 1965, (2) that much of the affected area is federally owned and administered, and (3) that the livelihood of the people in the area is dependent on prompt restoration of transportation facilities, and therefore Congress declares the need for special measures designed to aid and accelerate those States in their efforts to provide for the reconstruction of devastated areas.

Pacific North-  
west Disaster  
Relief Act of  
1965.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, in addition to the amounts authorized in section 125 of title 23 of the United States Code, not to exceed \$50,000,000 for the fiscal year ending June 30, 1965, and not to exceed \$20,000,000 for the fiscal year ending June 30, 1966. Such sums shall be obligated and expended by the Secretary of Commerce in accordance with such section 125, and related provisions of title 23 of the United States Code for the repair and reconstruction of highways, roads, and trails, damaged as the result of a disaster.

Highways, roads,  
etc., reconstruc-  
tion.  
Appropriation.  
73 Stat. 612.

SEC. 3. (a) Notwithstanding provisions of existing contracts, the Secretary of the Interior and the Secretary of Agriculture, separately, and as part of the regular road and trail construction program, shall reimburse timber sale contractors or otherwise arrange to bear road and trail construction and restoration costs either directly or in cooperation with timber purchasers to the extent of costs determined by the respective Secretary as incurred or to be incurred for restoring roads in any stage of construction authorized by a contract for the purchase of timber from lands under his jurisdiction to substantially the same condition as existed prior to the damage resulting from the floods of December 1964, and January and February of 1965 in California, Oregon, Washington, Nevada, and Idaho, and to the extent costs determined by the respective Secretary as incurred or to be incurred for completing road construction not performed under any such contract prior to the floods but which, because of changed conditions resulting from the floods, exceed road construction costs as originally determined by the respective Secretary. The costs for such road restoration, reconstruction, and construction under any single timber purchase contract on roads not accepted prior to the floods, whether construction was complete, partial, or not yet begun, shall be borne as follows: 15 per centum of all amounts shall be borne by the timber purchaser, except that such purchaser shall not be required to bear costs of more than \$4,500, and the Secretary shall bear the remaining portion of such costs. This subsection shall not apply

Timber sales  
contractors,  
reimbursements.

79 STAT. 131.  
79 STAT. 132.

(1) in the case of any road restoration or reconstruction if the cost of such restoration or reconstruction is less than \$500, and (2) in the case of any road construction if the increase in the cost of such

Exception.

construction as the result of the floods is less than \$500 more than the construction costs as originally determined by the respective Secretary.

(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

(c) Paragraph (3) of section 2 of the Federal-Aid Highway Act of 1964 is amended to read as follows:

"(3) For forest development roads and trails, \$123,000,000 for the fiscal year ending June 30, 1966, of which not to exceed \$38,000,000 shall be used solely for the construction, repair, and reconstruction of forest development roads and trails in the States of California, Oregon, Washington, Nevada, and Idaho, necessary because of the floods and high waters in such States during December 1964, and January and February 1965, and \$85,000,000 for the fiscal year ending June 30, 1967."

(d) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that the sale of such timber will assist in the reconstruction of any area of California, Oregon, Washington, Nevada, and Idaho damaged by floods or high waters during December 1964, and January and February 1965.

SEC. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in California, Oregon, Washington, Nevada, and Idaho, as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement resulting from floods and high waters during December 1964, and January and February 1965.

SEC. 5. (a) The President, acting through the Office of Emergency Planning, shall make a survey to determine what protective works would be necessary to prevent the recurrence of damage by floods or high waters to those banks of the Eel River, California, which are adjacent to the trackage of any common carrier by railroad and shall report to Congress the results of such survey together with the cost of any recommended work within sixty days after the date of enactment of this Act. The President, acting through the Office of Emergency Planning, is authorized to perform all or any part of the recommended work determined to be in the public interest and to reimburse any common carrier for any of such recommended work performed by such carrier. The Corps of Engineers of the United States Army shall be used to make the survey authorized by this section, shall recommend necessary work that has been determined by the President acting through the Office of Emergency Planning to be in the public interest, and shall be used to supervise any work authorized to be performed under this section.

(b) There is authorized to be appropriated not to exceed \$3,875,000 to carry out this section.

SEC. 6. Loans made pursuant to paragraph (1) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)) for the purpose of re-

Forest develop-  
ment roads and  
trails.  
78 Stat. 397.

Timber sales,  
public notice.  
31 Stat. 661.

Public land  
entry, time ex-  
tension.

Eel River, Calif.,  
survey, etc.  
Report to Con-  
gress.

79 STAT. 132.  
79 STAT. 133.

Small business  
loans.  
72 Stat. 389.

June 17, 1965

- 3 -

Pub. Law 89-41

79 STAT. 133.

placing, reconstructing, or repairing dwellings in California, Oregon, Washington, Nevada, and Idaho, damaged or destroyed by the floods and high waters of December 1964, and January and February 1965, may have a maturity of up to thirty years, except that section 7(c) of such Act shall not apply to such loans.

72 Stat. 389.

15 USC 636.

Effective date.

SEC. 7. This Act, other than section 5 and the amendment made by section 3(c), shall not be in effect after June 30, 1966, except with respect to payment of expenditures for obligations and commitments entered into under this Act on or before such date.

SEC. 8. This Act may be cited as the "Pacific Northwest Disaster Relief Act of 1965". Short title.

Approved June 17, 1965.

---

LEGISLATIVE HISTORY:

HOUSE REPORT No. 482 (Comm. on Public Works).

SENATE REPORT No. 276 (Comm. on Public Works).

CONGRESSIONAL RECORD, Vol. 111 (1965):

June 7: Considered and passed Senate.

June 15: Considered and passed House.



